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The Fragmentation of Migration and Crime in the Netherlands

ABSTRACT

International migration processes have drastically changed the face of Dutch society. Following changes in migration patterns, the research on migrants and crime is developing into two distinct lines of research. The postcolonial guest worker migrations from the 1950s and 1960s and subsequent family reunification led to attention to problems of crime among second-generation youngsters. More recently, asylum migration (peaking in the 1990s) and irregular migration generated problems of crime among first-generation asylum seekers and immigrants without a residence status. These groups are much more fragmented than the preceding immigrant groups, and their societal position is even more vulnerable. Findings in both fields make clear that research on immigrants and crime should take into account the changing contexts of reception and incorporation. The role of the state has become crucial in understanding some of the patterns found.

On May 6, 2002, the Netherlands was shocked by the brutal murder of Pim Fortuyn, just nine days before national elections. A few days earlier, Fortuyn's Rotterdam-based political party had made its unexpectedly successful first appearance in local politics. Fortuyn's spectacular rise to prominence cannot be understood without his sharp criticism of Dutch multicultural society. Fortuyn called for the Dutch borders to be closed. "This country is full," he said. "I think 16 million

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Dutchmen are about enough" (Volkskrant 2002). He pleaded for the assimilation of ethnic minorities already present. Moreover, according to Fortuyn, Islam was a "backward religion."

After Fortuyn's violent death, Ayaan Hirsi Ali, a liberal-conservative Dutch female politician with a Somali background, became a prominent spokeswoman for the critics of multiculturalism. She heavily criticized the suppression of women in Muslim communities and occasionally extended her criticism to Islam in general. She and Dutch film director Theo van Gogh made a controversial film called *Submission*. It featured four partially nude women in long, dark, transparent veils, with Koran texts written in calligraphy on their bare skin. In November 2004, Mohammed B., a young man of Moroccan origin, murdered van Gogh, allegedly because he considered the film an insult to Islam. These violent incidents and the ensuing public debates contributed to a public climate in which skepticism about or plain criticism of multiculturalism became common.

It would be incorrect, however, to assume that the position of immigrants in Dutch society was given much attention only after these murders. In the 1990s and around the turn of the century, there had been fierce public debates on Dutch multicultural society. Furthermore, migration and integration policy in the Netherlands has changed dramatically over the past thirty years. Three phases can be differentiated in Dutch immigrant incorporation policies or what is now called "integration policies" (Engbersen 2003a). In each phase different aspects of integration were emphasized. In the first phase (1980s), the emphasis was on self-organization and the cultural dimension of integration (e.g., arrangements for education in the minorities' own languages). This emphasis was in line with the Dutch tradition of "polarization" (i.e., compartmentalization along sociopolitical lines). There were special arrangements for immigrants, fully financed by the state, such as Muslim and Hindu schools, and broadcasting and political consultation facilities for migrant communities. The immigrant incorporation policy aimed at mutual adaptation in a multicultural society with equal opportunities for Dutch people and ethnic minorities (WRR 1979). The central idea of "integration while preserving ethnic identity" was soon criticized because it strengthened the isolated, unemployed, and segregated position of many first- and second-generation immigrants in the 1980s.

Next, in the 1990s and onward, in the second phase, the emphasis

was on reducing unemployment and welfare dependency, particularly through improving labor market participation. Integration was interpreted as equal participation in the major social institutions (WRR 1989).

The millennium change brought another change in tone and idiom (the third phase). Now, active citizenship with a strong emphasis on the social obligations of citizenship and individual responsibility of citizens became the main goal. More attention was paid to the moral dimension of integration. Integration policies became strongly related not only to issues such as shared norms about the rule of law and the obligation to learn the Dutch language and know something about Dutch culture, but also to social problems of public order and crime. Particularly after the 2002 elections, marked by the rise and death of Fortuyn, integration became a key issue, and integration and migration policies were redefined.

This new approach is also reflected in changes in immigration law with regard to family migration, labor migration, and asylum migration. Stricter income and age criteria are now set for marital migration.¹ Marital migrants also need to pass a Dutch language test containing 500 common Dutch words before they are allowed to come. Restrictive measures are taken with regard to labor migration. Employers must first turn to their own labor supply, that is, within the national borders or within the European Economic Area, before they may hire labor migrants (Roodenburg, Euwals, and ter Rele 2003). In 2000 the Dutch state adopted a more restrictive and efficient Aliens Act to limit the number of asylum seekers and to simplify and accelerate the asylum procedure. Significant aspects of this new act are the elimination of the possibility of administrative review of a decision made by the immigration authorities and the accelerated asylum procedure. Furthermore, various measures were taken to fight illegal or undocumented migration. Crucial in this respect is the exclusion of illegal immigrants from public services and the formal labor market.

¹ The Aliens Act 2000, enacted in 2001, introduced various measures to limit marital migration and family reunification. In 2003, the following new measures were introduced: the minimum age for marital migration was raised from eighteen to twenty-one (also to prevent forced marriages); the minimum income requirement for marital migration was increased from 100 percent to 120 percent of the official minimum income level; the partner already living in the Netherlands has to have adequate housing (stipulated for marital migrants entering the country and those who apply for a permanent residence permit); and marital migrants need to pass a Dutch language test containing 500 common Dutch words before they are allowed to come to the Netherlands.

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In addition, the capacity of the aliens police and the labor inspection was increased to combat illegal labor and illegal stay. Moreover, special detention centers were built for illegal migrants and asylum seekers who have exhausted all legal remedies. These two groups now constitute an increasing part of the prison population. An estimated 10 percent of prisoners have committed migration offenses. The majority are detained because of illegal residence or illegal work (in the Netherlands, unlawful stay and illegal work are not considered criminal offenses). Expectations are that the proportion of migrants who committed migration offenses in the total prison population will increase.

The debates on multiculturalism, the changing policy paradigms on integration, and the changes in immigration law and enforcement policies show that the Netherlands has become a country of immigration. For decades, the Netherlands was a “reluctant country of immigration” (Cornelius, Martin, and Hollifield 1994; Muus 2004). Although the Netherlands has had a positive immigration surplus since the early 1960s, successive governments continued to deny officially that the Netherlands was a country of immigration. Only in 1998 did the Dutch government officially acknowledge that the Netherlands has become an immigration country. This reticence was partly reflected by the social sciences research agenda on migration and crime. Only at the end of the 1980s was the first serious research on ethnic minority groups and crime carried out (see Junger 1990; Bovenkerk 1991). Compared to other European countries, however, the Netherlands was quick in breaking the taboo on social sciences research into issues concerning migration and crime.

This essay provides an overview of the research on relations between migration and crime with a special emphasis on the last ten years. An analytical distinction is made between two lines of research. The first consists of research on immigrants with strong residence and citizenship statuses. This involves in particular crime patterns among the largest immigrant groups in Dutch society (Turks, Moroccans, Surinamese, and Antilleans). These groups reflect the colonial past of the Netherlands and the period in the 1960s when the Netherlands actively recruited guest laborers in the Mediterranean. Some other migrant groups that came to the Netherlands in the past fifteen years (e.g., immigrants from Somalia and Ghana) show a rather strong involvement in crime. Dutch statistics, based on police records, reveal that, on average, males in migrant groups are suspected of having been in-

volved in crime two and one-half times as much as males in the native population. Females score low across the board, but the rate for females with an immigrant background is almost three times higher than for females in the native population. Problems arise for Moroccan and Turkish boys of the second generation and Antillean suspects and newer groups of first-generations (Blom et al. 2005).

The second line of research concerns "new" groups of immigrants with a weaker residence status, such as asylum seekers and illegal immigrants. This second line of research emerged by the end of the 1990s. This research reflects the increasing plurality and fragmentation of the categories of migrants who are on the move and increased regularization of migration. The Netherlands is confronted with an influx of asylum seekers from central and eastern Europe (from former Yugoslavia and the former Soviet Union), Asia (from China, Iran, and Iraq), and Africa (Somalia, Ghana, and Sierra Leone) and with a growing number of irregular immigrants. Dutch statistics show that these groups are more involved in certain types of crime than the native population. Another significant finding is that the exclusionary policy with regard to illegal migrants has led to forms of "subsistence crime" (income-generating crimes such as theft and burglary). It must be said, however, that there are also substantial differences in the involvement in crime among asylum seekers and irregular immigrants. Some groups are more involved than others. New immigrant groups that are not embedded in well-established ethnic communities score particularly high in this respect.

To understand the differences between immigrant groups, it is important to make a distinction between groups with a strong citizenship status and groups with a weak citizenship status. The first group has full access to all the social rights of an advanced welfare state and the second group only to a limited extent or not at all. The theory of differential opportunity structures (Merton 1996) offers a first device for understanding some of the fundamental differences in legitimate and illegitimate opportunities that different groups of immigrants face in Dutch society. It also offers a theoretical framework that helps explain differences in criminal involvement. A related perspective is offered by migration theories on differences in the context of reception (Portes and Rumbaut 1990). However, to understand the different patterns of criminal behavior among immigrant groups, including transnational forms of crime, we need to develop more specific theories.

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There are two policy implications of the research on migration and crime. First, the socioeconomic integration of regular migrants needs to be accelerated and improved. More attention must be paid to improving the educational and labor market opportunities of these groups, particularly of the young members of migrant groups. Second, the Dutch state has to rethink some of its restrictive policies because of the criminal effects it produces. For example, the expansion of labor migration programs (temporary as well as permanent) would enable some irregular laborers to reside and work legally. Similarly, the selective regularization of irregular migrants and groups of asylum seekers could help in this regard.

Before summarizing the principal findings in both lines of research in Sections II and III, we provide a brief sketch of the Netherlands as a multicultural country, indicating the main trends in international migration that have had a massive impact on the composition of the Dutch population and of the major cities (Sec. I). Over a few decades the Netherlands has changed from a relatively homogeneous society into a thoroughly heterogeneous one. The incorporation of a continuous stream of new immigrants is not unproblematic because dominant integration mechanisms (through formal labor and the welfare state) have become partially embroiled in crisis, and crime may be seen as a symptom of these difficulties. We refer here to high unemployment figures among young migrants, which have risen to over 30 percent, as well as to the exclusion of migrant groups from the welfare state. We go deeper into this in the final section (Sec. IV).

I. Immigrants in the Netherlands

After the Second World War, the Netherlands was a country of emigration. Officially encouraged by the state-sponsored emigration policy of the Dutch government, many Dutch citizens emigrated to typical immigration countries such as Australia, Canada, and New Zealand and to a lesser extent to Brazil and South Africa. Between 1946 and 1969, nearly half a million Dutch citizens left the Netherlands. In the same period the Netherlands experienced a massive influx of repatriates and Eurasians from the former Dutch East Indies (now Indonesia) after Indonesia's independence in 1949. More than fifty years later (in 2003), 400,000 people in the Netherlands either had been born in Indonesia or had at least one parent who had been born there. The integration

of repatriates from Indonesia is often presented as a role model for successful assimilation. However, many were well educated; most spoke Dutch and had been educated in a school system that was almost the same as that of the mother country. Furthermore, 5 percent of all newly built houses in the 1950s were put at their disposal to speed their assimilation. They also profited from the postwar economy, which reached full employment in the 1960s. An indicator of their integration is that the intermarriage rate is extremely high (Entzinger 1995, p. 343).²

A new pattern occurred in the early 1960s with the arrival of guest workers from the Mediterranean. As the term guest worker implies, they were expected to stay in the Netherlands temporarily and to return to their countries of origin once they had done their jobs. This myth of immigrants returning home dominated official Dutch thinking on immigration and immigrant integration for many years (van Amersfoort 1982; Muus 2004). When guest workers started bringing their families to the Netherlands, it began to dawn on the Dutch that many were going to stay. This became even clearer when, around and after Surinam's independence in 1975, major flows of postcolonial immigrants from Surinam began to arrive in the Netherlands. In the 1970s, almost half of the foreign-born immigrants to the Netherlands came from just five countries: Turkey, Morocco, Surinam, Netherlands Antilles, and Indonesia (see table 1). In the 1990s, the percentage of these five immigrant groups steadily declined to less than 25 percent of new foreign-born immigrants. Since then, the percentage of these more or less traditional immigrant groups has remained steady at a much lower level. The percentage of immigrants from other E.U. countries in the total immigrant population in the Netherlands remained around 20 percent. This means that the percentage of immigrants arriving from

² Indonesia's independence also led to the arrival of 12,500 Ambonese or Moluccans. Most were Moluccan military who had served in the Dutch colonial army and were not demobilized when the Republic of South Moluccas declared independence from the new republic of Indonesia in the 1950s. This placed those soldiers who were still serving in the colonial army in a very difficult position. The Dutch government decided to bring these soldiers and their families to the Netherlands. Upon arrival the Moluccans were demobilized and housed in camps, segregated from Dutch society. This policy underlined the temporary character of their stay and enabled these groups to preserve their own group identity. However, their stay became permanent when the South Moluccas' independence from Indonesia proved utopian. In the 1970s Moluccan youngsters committed a series of terrorist acts. The Moluccan actions were a form of political, separatist terrorism. The aim was an independent republic in the Moluccas (Janse 2005).

TABLE 1
Immigration to the Netherlands by Country of Birth, 1970–2004: Five-Year Averages

	1970–74	1975–79	1980–84	1985–89	1990–94	1995–99	2000–2004
Total	89,100	97,600	79,400	90,600	114,600	111,300	117,200
Born in the Netherlands	24,700	23,800	21,800	21,900	23,400	23,500	21,500
Foreign-born	64,500	73,800	57,600	68,700	91,200	87,800	95,700
European Union	12,000	15,300	13,500	15,200	19,100	19,200	19,800
Turkey	9,200	11,600	7,600	8,600	8,900	5,500	5,800
Morocco	3,700	6,900	7,000	7,200	7,100	4,600	4,700
Surinam	11,800	14,600	6,700	5,100	7,400	3,500	3,400
Netherlands Antilles	1,900	3,100	3,100	6,300	5,000	5,700	6,400
Indonesia	2,700	2,800	2,300	1,800	1,700	1,500	1,800
Other countries	23,100	19,500	17,400	24,600	41,900	47,800	53,800
As Percentage of Foreign-Born Immigrants							
European Union	18.7%	20.8%	23.5%	22.1%	20.9%	21.9%	20.7
Turkey	14.3	15.8	13.2	12.5	9.8	6.3	6.0
Morocco	5.8	9.3	12.1	10.5	7.8	5.2	4.9
Surinam	18.3	19.8	11.6	7.4	8.1	4.0	3.5
Netherlands Antilles	2.9	4.2	5.5	9.1	5.5	6.4	6.6
Indonesia	4.2	3.7	4.0	2.6	1.9	1.7	1.9
Other countries	35.8	26.5	30.3	35.8	46.0	54.5	56.3

SOURCE.—Statistics Netherlands (<http://www.cbs.nl>).

the other countries increased from 30 percent in the early 1980s to more than 55 percent in the first years of the twenty-first century.

Table 1 describes the immigration flows to the Netherlands. We now discuss the stock of foreign nationals and immigrants living in the Netherlands. Before providing these Dutch data, we need to discuss definitions. How are foreign nationals and immigrants defined and counted? In Dutch statistics, persons are considered immigrants or nonnative Dutch residents if at least one parent was born abroad. This type of registration facilitates tracing migrants who acquired Dutch citizenship by birth (from the Netherlands Antilles) and second-generation migrants. This is also important for gaining insight into second-generation migrants' involvement in crime. In this essay we refer to Dutch residents with non-Dutch citizenship as "foreign nationals." When we speak of immigrants, we mean not only foreign-born residents but also their offspring born in the Netherlands (in accordance with the official Dutch definition).

Finally, the official Dutch statistics draw a distinction between non-native residents from "Western" and from "non-Western" countries. Western countries include all countries in Europe (excluding Turkey), North America, Oceania, Indonesia, and Japan. Non-Western countries include Turkey and countries in Africa, South America, and Asia, except Indonesia and Japan. The latter two countries are grouped with the Western countries on the basis of their socioeconomic and socio-cultural positions. Table 2 provides an overview of the composition of the Dutch population on the basis of five-year averages. This shows the steady increase of migrants from non-Western countries such as Turkey, Morocco, Netherlands Antilles, and Surinam. It also shows a strong increase in the number of nonnatives from 1.9 million in 1985–89 to 2.9 million in 2000–2004. In the same period the native Dutch population was more or less stable. The increase in the number of nonnative residents is mainly due to the growing influx from central and eastern European and from non-Western countries. The number of nonnative residents from various non-Western countries also grew rapidly from 700,000 in 1985–89 to more than 1.5 million in 2000–2004. On January 1, 2005, roughly 1.7 million non-Western and 1.4 million nonnative people were living in the Netherlands. About 40 percent of the non-Western and 60 percent of the Western population are second-generation (Snel, de Boom, and Engbersen 2005).

Table 3 provides a detailed overview of the current composition of

TABLE 2
Nonnative Population in the Netherlands by Ethnic Origin, 1972–2004: Five-Year Averages (in Thousands)

	1972–74	1975–79	1980–84	1985–89	1990–94	1995–99	2000–2004
Total	13,383	13,806	14,264	14,624	15,123	15,580	16,081
Native	12,121	12,347	12,544	12,705	12,880	13,015	13,134
Nonnative	1,262	1,460	1,720	1,919	2,242	2,564	2,947
Western countries	1,075	1,116	1,152	1,185	1,261	1,335	1,399
Indonesia	...	...	...	...	...	408,000	400,000
Non-Western countries	187,000	344,000	568,000	734,000	982,000	1,229,000	1,548,000
Turkey	38,000	77,000	137,000	170,000	232,000	281,000	330,000
Morocco	24,000	45,000	90,000	131,000	188,000	234,000	284,000
Netherlands Antilles	24,000	32,000	47,000	62,000	83,000	91,000	122,000
Surinam	62,000	122,000	179,000	212,000	252,000	286,000	314,000
Other non-Western	39,000	68,000	116,000	159,000	226,000	338,000	497,000
As Percentage of Nonnative							
Western countries	85.2%	76.5%	67.0%	61.8%	56.2%	52.1%	47.5%
Indonesia	...	...	...	...	...	15.9	13.6
Non-Western countries	14.8	23.5	33.0	38.2	43.8	47.9	52.5
Turkey	3.0	5.2	8.0	8.9	10.3	11.0	11.2
Morocco	1.9	3.1	5.2	6.8	8.4	9.1	9.6
Netherlands Antilles	1.9	2.2	2.7	3.2	3.7	3.5	4.1
Surinam	4.9	8.4	10.4	11.0	11.2	11.1	10.7
Other non-Western	3.1	4.6	6.8	8.3	10.1	13.2	16.9

SOURCE.—Statistics Netherlands (<http://www.cbs.nl>).

TABLE 3
Nonnative Population in the Netherlands by Ethnic Origin, 1995–2004: Two-Year Means (Selection
15,000+)

	Absolute Numbers					As a Percentage of the Nonnative Population	
	1995–96	1997–98	1999–2000	2001–2	2003–4	1995–96	2003–4
	15,530,000	15,707,000	15,926,000	16,149,000	16,282,000		
Total	15,530,000	15,707,000	15,926,000	16,149,000	16,282,000		
Native Dutch	13,004,000	13,047,000	13,103,000	13,147,000	13,176,000		
Nonnative	2,527,000	2,660,000	2,823,000	3,002,000	3,105,000		
From Western countries	1,330,000	1,348,000	1,377,000	1,411,000	1,422,000	52.7	45.8
Germany	410,000	405,000	400,000	395,000	388,000	16.2	12.5
United Kingdom	66,000	67,000	71,000	75,000	76,000	2.6	2.5
Belgium	111,000	112,000	113,000	113,000	113,000	4.4	3.6
Poland	26,000	28,000	30,000	33,000	38,000	1.0	1.2
Yugoslavia (former)	58,000	62,000	69,000	75,000	76,000	2.3	2.5
Soviet Union (former)	14,000	19,000	26,000	37,000	43,000	.6	1.4
United States	23,000	25,000	27,000	29,000	30,000	.9	1.0
Indonesia	411,000	407,000	405,000	402,000	397,000	16.3	12.8
From non-Western countries	1,196,000	1,312,000	1,446,000	1,590,000	1,684,000	47.3	54.2
Turkey	276,000	295,000	314,000	336,000	355,000	10.9	11.4
Morocco	229,000	247,000	267,000	290,000	311,000	9.1	10.0
Somalia	22,000	27,000	29,000	28,000	23,000	.9	.8
South Africa	10,000	11,000	13,000	15,000	15,000	.4	.5
Ghana	13,000	14,000	16,000	18,000	19,000	.5	.6
Cape Verde	17,000	18,000	18,000	19,000	20,000	.7	.6

Egypt	12,000	13,000	15,000	17,000	18,000	.5	.6
Surinam	283,000	294,000	306,000	318,000	327,000	11.2	10.5
Netherlands Antilles and							
Aruba	88,000	96,000	112,000	127,000	131,000	3.5	4.2
Iraq	14,000	26,000	36,000	42,000	43,000	.5	1.4
Afghanistan	6,000	14,000	24,000	33,000	37,000	.3	1.2
China	24,000	27,000	31,000	37,000	43,000	1.0	1.4
Iran	18,000	21,000	24,000	27,000	29,000	.7	.9
Vietnam	13,000	14,000	15,000	16,000	18,000	.5	.6
Pakistan	14,000	15,000	16,000	18,000	18,000	.6	.6
Hong Kong	17,000	17,000	18,000	18,000	18,000	.7	.6

SOURCE.—Statistics Netherlands (<http://www.cbs.nl>).

the Dutch population, showing that the Dutch population has become more diverse. Besides the five major migrant groups and migrants from the old E.U. countries, there are now also substantial numbers of migrants from Poland, former Yugoslavia, the former Soviet Union, Iraq, China, Afghanistan, and Iran. There are also a number of smaller migrant groups from Somalia, Ghana, Egypt, Vietnam, Pakistan, and Hong Kong. Today, there are a total of fifty-six immigrant groups of at least 4,000 persons in the Netherlands (Blom et al. 2005).

A. Pluralization and Fragmentation

The new migration of the past fifteen years differs from that in the more distant past. It is characterized by new geographical patterns of migration and new types of immigrants with different or no residence statuses (asylum seekers, temporary labor migrants, and illegal immigrants). The new geography of migration relates to the increased long-distance migration to the Netherlands from a growing number of countries. In addition, the traditional migration direction from south to north is complemented by migration flows from east to west. The traditional labor immigrants, family immigrants, and people from former colonies and their offspring, all of whom had strong residence statuses, are increasingly being supplemented with new categories of immigrants. First of all, there are *asylum seekers*, whose numbers—with all fluctuations—increased strongly the period 1990–2004 (see table 4). After a period of relatively high numbers of asylum requests, the number of asylum applications started to fall at the end of the year 2000. From the end of 2001 the rate of this reduction accelerated. Since then the numbers have fallen every year. In 2004 the number of requests dropped below 10,000, the lowest number in more than a decade. Several Dutch politicians have claimed the reduction as an effect of the Aliens Act 2000 that came into effect on April 1, 2001. Table 4 reveals that asylum migrants are mostly from former Yugoslavia, the former Soviet Union, Turkey, Afghanistan, Iraq, Iran, Sri Lanka, Angola, Somalia, and Sierra Leone.

Cohort studies show that the approval percentage was 47 percent for asylum seekers who submitted their requests in 1994. For those who submitted their requests in 2001, the figure was 16 percent (see table 5) There are considerable differences. Asylum seekers from countries such as Iraq and Afghanistan have a high approval percentage, whereas asylum seekers from other countries have a low or a variable

TABLE 4
Asylum Requests in the Netherlands by Country of Nationality, 1991–2004: Two-Year Means

	1991–92	1993–94	1995–96	1997–98	1999–2000	2001–2	2003–4
Total	20,985	43,990	26,060	39,830	43,310	25,623	11,592
Yugoslavia	4,175	11,815	4,060	6,060	7,110	1,516	518
Soviet Union (former)	820	3,065	1,785	2,595	4,860	2,563	1,008
Romania	1,310	1,925	255	70	75	47	27
Czechoslovakia (former)	320	460	205	365	930	301	124
Turkey	815	630	695	1,180	1,885	1,019	376
Afghanistan	325	2,015	2,465	6,520	4,725	2,346	590
Iran	1,515	4,345	2,110	1,465	2,040	1,092	503
Iraq	725	3,045	3,405	8,970	3,245	1,176	2,258
Syria	395	330	285	645	960	422	209
China	770	885	475	1,040	1,320	622	280
Sri Lanka	1,425	1,855	1,400	1,275	910	487	86
Algeria	115	830	545	675	535	265	88
Angola	140	955	580	490	1,890	3,001	274
Nigeria	485	195	505	345	265	479	319
Somalia	2,980	4,860	2,720	2,030	2,425	818	622
Sierra Leone	15	90	320	435	1,655	2,013	226
Sudan	95	210	630	1,280	1,560	691	274
Congo	390	1,745	605	735	390	511	148
Other	4,170	4,735	3,015	3,655	6,530	6,257	3,666
As Percentage of Total Asylum Requests							
Yugoslavia	19.9%	26.9%	15.6%	15.2%	16.4%	5.9%	4.5%
Soviet Union (former)	3.9	7.0	6.8	6.5	11.2	10.0	8.7

Romania	6.2	4.4	1.0	.2	.2	.2	.2
Czechoslovakia (former)	1.5	1.0	.8	.9	2.1	1.2	1.1
Turkey	3.9	1.4	2.7	3.0	4.4	4.0	3.2
Afghanistan	1.5	4.6	9.5	16.4	10.9	9.2	5.1
Iran	7.2	9.9	8.1	3.7	4.7	4.3	4.3
Iraq	3.5	6.9	13.1	22.5	7.5	4.6	19.5
Syria	1.9	.8	1.1	1.6	2.2	1.6	1.8
China	3.7	2.0	1.8	2.6	3.0	2.4	2.4
Sri Lanka	6.8	4.2	5.4	3.2	2.1	1.9	.7
Algeria	.5	1.9	2.1	1.7	1.2	1.0	.8
Angola	.7	2.2	2.2	1.2	4.4	11.7	2.4
Nigeria	2.3	.4	1.9	.9	.6	1.9	2.7
Somalia	14.2	11.0	10.4	5.1	5.6	3.2	5.4
Sierra Leone	.1	.2	1.2	1.1	3.8	7.9	1.9
Sudan	.5	.5	2.4	3.2	3.6	2.7	2.4
Congo	1.9	4.0	2.3	1.8	.9	2.0	1.3
Other	19.9	10.8	11.6	9.2	15.1	24.4	31.6

SOURCE.—Statistics Netherlands (<http://www.cbs.nl>).

TABLE 5
Percentage of Asylum Requests Granted in the Netherlands Cohort,
1994–2003: Top Ten Countries, 1994–2003

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Iraq	82.8	86.9	77.6	70.9	36.1	26.6	20.0	15.9	30.9	24.0
Afghanistan	78.0	71.9	84.0	82.6	71.9	55.0	54.6	26.5	12.0	13.4
Yugoslavia (former)	28.0	22.0	15.2	8.6	21.0	55.4	10.4	5.7	5.1	5.7
Bosnia-Herzegovina	80.3	77.0	64.7	21.3	12.5	8.6	9.3	5.7	.5	.9
Somalia	56.7	50.0	57.9	52.3	42.1	28.4	19.0	11.7	12.7	18.0
Iran	39.9	33.0	31.5	31.3	29.9	17.8	12.9	12.1	9.5	9.8
Angola	37.4	27.2	19.8	23.4	36.8	34.5	29.2	10.1	13.1	7.9
Turkey	32.2	26.8	18.3	10.2	12.5	7.9	4.0	4.1	8.2	2.3
Sri Lanka	14.9	8.4	8.0	9.2	13.3	12.1	6.0	9.0	8.9	3.2
Sierra Leone	54.9	34.8	27.9	39.1	45.3	50.5	48.4	43.8	17.4	5.6
Total	43.0	42.2	44.5	48.4	34.1	29.8	19.9	14.6	10.9	12.3

SOURCE.—Ministry of Justice, Immigration and Naturalization Service (2005).

approval percentage. It is clear, however, that the larger part of the asylum requests are rejected. In Section IV we argue that approximately 20 percent of the rejected asylum seekers remain in the Netherlands.

Second, besides the large influx of asylum seekers, there is an increase in the number of *temporary labor immigrants* (ACVZ 2004). Table 6 shows the countries of origin for labor migrants who came to the Netherlands with a temporary work permit. More than two-thirds of temporary labor migrants came from Western countries (particularly the new E.U. member states). Furthermore, the number of temporary labor migrants from eastern European countries increased sharply in recent years. Most temporary work permits are issued for low-qualified professions. In 2004 almost half of all temporary work permits were issued for agricultural and horticultural work. Other lower-qualified occupations that attract a relatively large number of labor migrants are industrial production jobs and jobs in the transport and hotel and catering industries.

Third, there is the relatively new type of immigrants known as *undocumented* or *illegal immigrants*. In the Dutch context, undocumented immigrants are commonly labeled illegal immigrants. We define illegal immigrants as people who stay in the country without official permission to do so at the time of the research, regardless of whether they entered the country legally and regardless of whether they are economically active. Many came to the Netherlands on tourist visas and

TABLE 6

Number of Temporary Work Permits (WAV) Granted in the Netherlands by Nationality, 1996–2004 (Absolute Numbers; Selection 500+)

	1996	1997	1998	1999	2000	2001	2002	2003	2004
Total	9,173	11,062	15,181	20,816	27,678	30,153	34,558	38,036	44,113
Western countries				11,994	16,234	17,633	20,175	22,663	32,538
Europe							14,893	17,222	28,303
New E.U. countries							9,400	12,542	24,424
Poland	735	928	1,184	1,501	2,497	2,831	6,572	9,511	20,190
Czechoslovakia (former)	174	256	282	606	1,058	1,673	1,494	1,653	2,690
Hungary	275	349	502	662	718	1,063	1,000	953	1,080
Other Europe							5,492	4,680	3,877
Soviet Union (former)					2,121	3,572	3,784	3,309	2,547
Romania	287	193	299	458	643	741	860	1,095	1,300
Other Western countries	...	...	...	5,556	6,186	5,980	5,295	5,443	4,235
United States	1,945	2,275	2,603	2,822	3,133	2,918	2,594	2,564	2,024
Japan	949	893	871	890	945	909	1,008	1,204	823
Indonesia	146	148	211	482	547	799	795	872	578
Non-Western countries	...	...	...	8,695	11,229	12,245	14,015	14,977	11,312
Sierra Leone				31	81	222	1,047	1,252	560
China	578	489	512	701	980	1,161	1,741	2,253	2,402
India	390	519	830	901	1,006	974	776	845	1,050
Iraq	12	30	964	1,520	1,627	1,176	782	786	663
Afghanistan	8	15	238	651	580	699	974	1,008	555

SOURCE.—Centre for Work and Income, the Netherlands.

TABLE 7
Estimation of Population of Illegal Immigrants in the Netherlands
by Year and Nationality (Absolute Numbers)

	1997	1998	1999	2000	2001	2002	2003*
Total	194,332	180,294	144,558	162,868	192,604	206,247	158,581
Turkey	41,098	32,250	8,104	16,136	38,112	15,250	12,255
North Africa	12,091	7,811	8,626	7,011	6,707	8,721	6,930
Other Africa	22,549	25,422	21,525	17,355	27,517	35,734	27,680
Surinam	4,734	5,457	4,983	3,716	913	1,293	971
Western Europe	24,250	19,850	18,913	17,638	14,013	17,700	13,288
Eastern Europe	44,788	45,013	47,563	53,438	61,213	88,938	68,213
Asia	31,840	31,652	27,632	30,972	30,086	21,094	20,304
South and Central America	9,766	10,630	4,859	11,267	6,642	14,800	7,362
North America/ Oceania	626	726	449	1,517	487	1,006	407

SOURCE.—Leerkes et al. (2004).

* Based on incomplete data.

stayed; others crossed the border illegally or became illegal when they were refused refugee status (Burgers and Engbersen 1999; Staring 2001). The dividing lines between asylum seekers, commuting immigrants, and illegal immigrants are sometimes diffuse. Polish immigrants, for instance, who work in agriculture are commonly regarded as illegal immigrants, although coming from an E.U. member state, they do not need a visa to stay in the Netherlands (but they do have to meet certain criteria; e.g., they must have a work permit). In the same vein, asylum seekers are often confused with illegal immigrants, whereas they lose their residence rights only when they are rejected and refuse to leave. There are no official registrations of illegal immigrants, and we cannot fall back on census data. Van der Heijden and Cruijff (2004) used apprehension data³ to estimate that, in the period 1997–2003, between 150,000 and 200,000 illegal immigrants were residing annually in the Netherlands. Table 7 gives a rough indication

³ The estimate was based on the capture-recapture method: a methodology derived from biology that can also be used in human population research when dealing with unknown populations. The data can be based either on observations by two or more independent bodies or on continuously collected data such as investigation data in criminology. Police records can be seen as continuously collected data, and they satisfy the requirements of this method to a certain extent. Van der Heijden et al. (2003) have elaborated a model that obviates the violations of the general assumptions as far as possible.

of the composition of the illegal population (Leerkes et al. 2004), although it must be emphasized that this picture is based on inherently selective police data.

The preceding overview makes clear that the composition of the Dutch population has become much more diverse. The five major migrant groups (Indonesians, Surinamese, Antilleans, Turks, and Moroccans) have been augmented by a number of other migrant groups from all parts of the world. In addition, there was an influx of people with a temporary residence status (temporary workers), an insecure status (asylum seekers still awaiting a decision), and no residence status (illegal immigrants). How these changes in the composition of migration stocks and flows affect patterns of settlement is dealt with below.

B. Spatial Concentration and Integration

Migration has a considerable impact on large cities. Non-Western immigrants in particular congregate in urban areas. Only 13 percent of the total Dutch population live in the four major cities (Amsterdam, Rotterdam, The Hague, and Utrecht) compared to 40 percent of non-Western immigrants. In 2017 the number of non-Western immigrants (first- and second-generation) will constitute a majority of Rotterdam's population. In Amsterdam this will be the case in 2030 (Engbersen, Snel, and Weltevreden 2005). These figures do not take into account that—on the basis of analysis of police files—also approximately half of illegal immigrants reside in the four major cities (Engbersen, Starink, and van der Leun 2002).

Immigrants often find themselves in the lower ranks of society. Although many non-Western immigrants managed to improve their labor market position in the 1990s, many remain in a weak position. Non-Western immigrants participate less in the formal labor market, are unemployed more often, and receive social security benefits more often than native Dutch inhabitants. Moreover, non-Western immigrants who are employed tend to be overrepresented in unskilled or semiskilled jobs that are flexible and often insecure. Former guest workers and their families from Turkey and Morocco have a persistent weak labor market position more often than postcolonial immigrants from Surinam and people from the Netherlands Antilles (SCP 2003). The high risk of unemployment can be partly attributed to low educational qualifications of specific immigrant groups. Yet, recent data also show that between 25 and 40 percent of immigrants with a refugee

status, who are often much better educated, are also unemployed (Mattheijer 2000).

Snel, de Boom, and Engbersen (2005) present six factors that together explain the weak labor market position of non-Western immigrants: lack of individual qualifications (education, work experience, and command of Dutch), labor queueing (non-Western immigrants at the back of the supply queue because employers view them as the least productive), industrial restructuring (the disappearance of industrial work), cultural factors (low labor force participation among Turkish and Moroccan women), and discrimination (immigrant workers have a higher risk of unemployment than native workers who have similar individual characteristics such as education) (see also Veenman 2003). Public attention that focused on the disadvantaged labor market position of immigrants is gradually being replaced by concerns over alternative careers in crime, which we address in the next section.

II. Non-Western Immigrants, Crime, and Criminal Justice

The link between migration and crime is anything but new. It is one of the classical topics addressed by social scientists and criminologists, in particular in countries with a long-standing immigration history. Traditional questions are whether or not (certain groups of) migrants are more involved in crime than nationals and how these differences can be explained (Savona and Goglio 1996). Conventional wisdom presumes a law-abiding first generation of immigrants and a more crime-prone second generation. The idea is that first-generation migrants tend to have preferences and expectations in line with their experiences in their home country, whereas their offspring take nonmigrants as their reference group. In this sense, integrating into the receiving society can stimulate crime. Yet, theoretical explanations are contradictory since a high involvement in crime is also often seen as a lack of integration or assimilation (Junger-Tas 2002). As can easily be derived from Merton's work—he does not refer to immigrants but to people in the lower strata of society in general—blocked mobility may drive immigrants to alternative routes to success (Merton 1957). These alternative routes may be stimulated by the formation of subcultures with divergent norms (O'Kane 1992). More recent "segmented assimilation" researchers in the United States (Portes and Zhou 1993; Portes and

Rumbaut 2001) contend that the growth of immigrant communities can result in both higher and lower levels of crime than in the general population depending on the “modes of incorporation” in the receiving society. Different groups in different periods face different opportunity structures (see Engbersen and van der Leun 1998). We return to this in the last section.

Much of the Dutch criminological literature on marginal groups including immigrant groups is based on the theory of social control as elaborated by Hirschi (Hirschi 1969; Junger-Tas 2002) and to a lesser extent the work of Merton on anomie, under the label of “strain theory” (Merton 1957; Junger 1990; Jongman, Weerman, and Kroes 1991). Crime has primarily been linked to a (perceived) lack of integration into the mainstream of the receiving society (Angenent 1997; Leuw 1997), a lack of social control and parental supervision, and a lack of acceptance of Western norms (Junger-Tas et al. 2003). These explanations are mainly confirmed for lower-educated youngsters (primarily boys) from the traditional immigrant groups. The explanations increasingly fall short now that immigration has become more fragmented and now that, as a result of better transport and communication means, immigrants can live in Dutch society and remain culturally and politically connected to their country of origin.

Moreover, it has become clear that integration is all but a linear process. The second generation is not *per se* more integrated than the first, for instance. Recently, cultural explanations have been brought back into the debate by ethnographic researchers such as van Gemert (1998) and van San (1998). Van Gemert stresses a culture in which honor and especially distrust play an important role in the everyday life of young Moroccans, who are one of the major problem groups in the Netherlands at the moment. Van San concludes on the basis of fieldwork among Antillean boys, another problem group, and their mothers that “respect” is crucial for them. The neutralization techniques that they collectively adopt make them believe that they are not doing anything wrong when using knives to restore their respect. The anthropologist and criminologist Bovenkerk warns against essentialist views on culture and ethnicity in case studies such as these (Bovenkerk 2003; Bovenkerk and Yesilgoz 2004) and stresses that cultural and structural factors influence each other in dynamic ways.

The available studies, summarized below, show differential patterns of arrests that only partially confirm the conventional wisdom just de-

scribed. This spurred interest in the bias of police data and in particular the likelihood of being apprehended because of “foreign” appearances. In the remainder of this section we elaborate on selective crime enforcement, immigrants as suspects, victimization and fear of crime, and detention and imprisonment.

A. Selective Law Enforcement?

After heated discussions in the 1980s, it is now more or less accepted that some immigrant groups are overrepresented in certain forms of crime and that this overrepresentation cannot be explained solely on the basis of selective data. It is important to note, however, that a very small minority of the population comes into contact with the police as suspects. There is a large “dark number.” According to estimations by van der Heide and Eggen (2003, p. 199), there were 4.65 million crimes committed against civilians in the Netherlands in 2001, of which only 1.6 million (34 percent) were reported to the police and for which 277,000 suspects were registered. Among these “known suspects” registered by the Dutch police, 2.2 percent came from immigrant groups and 0.9 percent of all inhabitants came from a nonimmigrant background (Blom et al. 2005, p. 85).⁴ We go into these data with more detail below.

In addition, it must be noted that police data, crime registrations, and judicial system data are selective because they depend on police policies and routines and complex decision-making processes (Sampson and Lauritsen 1997). The national police database on suspects (HKS), which is a main source of information, does not comprise information of special investigation services; therefore, street crimes are overrepresented and white-collar crimes underrepresented. Furthermore, vulnerable groups in general run a relatively high risk of attracting the attention of the police and the public. Police statistics represent particular acts committed by the less powerful, which in turn tend to be

⁴ These data are based on a national database of the Dutch police force (HKS) in combination with the Social Statistical Database of Statistics Netherlands (CBS), which also contains information from the municipal personal records database. The national database of suspects contains information on reporting of crime and personal information on the suspects of these crimes. One or more official reports may be made against a single suspect in one year, and an official report may in turn involve several offenses. The information includes persons who are at least twelve years old and are named as suspects in a report of a crime. The HKS contains information on the type of offense, but also personal information such as date of birth, sex, country of birth, and nationality (see Blom et al. 2005, pp. 83–85).

the types of crimes that most common people think of when they speak of crime. This makes crimes committed by immigrants highly visible (see Jongman, Weerman, and Kroes 1991; see also Sec. II B).

The Dutch Aliens Act and Identification Act were intended to prevent discrimination against non-Western immigrants. According to some authors, this aim has succeeded (Aalberts 1990; Junger-Tas 1997; Boekhoorn, Speller, and Kruisssen 2004); others doubt that (den Boer 1995). For instance, it has been reported that negative stereotyping of non-Western immigrants is not uncommon among Amsterdam police officers (Esmeijer and Luning 1978). Non-Western immigrants appear to be stopped by the police more often than Dutch citizens (Junger-Tas and van de Zee-Nefkens 1977; Bovenkerk 1991). Junger (1990) maintained that ethnic selectivity by the police is usually not racist as such. It rather arises from the desire to optimize the “organizational output” under conditions of limited resources. Police officers tend to monitor groups they suspect of crime. These practices probably inflate the figures on crime involvement of immigrants and ethnic minorities. In a literature review study, Rovers (1999) concludes that there is no ground to assume a selective approach at the stage of arrest toward individuals from a migrant background.

Recently, Wittebrood (2004) used a multilevel research design to examine ethnic differences in crime *registration*. Her findings confirm that ethnic bias does not have unidirectional effects. All else being equal, the chance that the police register a crime reported by a crime victim depends on the type of neighborhood in which the crime victim lives. In poor (immigrant) neighborhoods, reports are more often registered (which suggests that poor neighborhoods are controlled more intensely). However, police officers are less likely to register offenses reported by members of non-Western immigrant groups in comparison with Dutch crime reporters (since most crime is “intra-ethnic,” this practice contributes to the underestimation of ethnic minorities’ crime involvement).

There is a broad consensus that selective law enforcement influences but does not cause ethnic differences in crime. Van San and Leerkes (2001) have given four arguments for this position. First, ethnic differences are quite substantial, even when age, degree of urban settlement, and socioeconomic position are controlled for.⁵ Second, discrimi-

⁵ This finding is confirmed in a recent study by Blom et al. (2005).

ination and selectivity do not explain the (substantial) group differences from one ethnic minority to the other with regard to crime rates and types of crimes committed. Third, some (white) minorities (Yugoslavians, Russians) are less easily identified by the police than “visible minorities” (Antilleans, Moroccans) but are nevertheless prominent in crime figures. Fourth, ethnic bias cannot explain differential offending within ethnic groups. For instance, Moroccan and Turkish girls are significantly less involved in crime than their Dutch counterparts. Self-report studies among young members of immigrant groups also find higher rates for non-Western immigrants than for indigenous Dutch youths. For instance, young non-Western immigrants more often report having committed violent offenses and offenses against property than indigenous youngsters do (Wittebrood 2003).⁶ Selective law enforcement strategies by the police can therefore overstate but not explain differences in crime patterns for immigrant groups (Haen Marshall 1997; Tonry 1997; van San and Leerkes 2001; see also Sec. II B).

It is not clear if or to what extent recent anti-immigration sentiments have affected relations between immigrants and the police, which were traditionally relatively good. A study on the discriminatory nature of immigration control by the aliens police (mainly targeted at illegal immigrants) concludes that recent policy changes have not resulted in “indication of serious violations of the non-discriminatory nature” of the surveillance of foreign nationals. Yet, targeted actions aimed at combating overpopulation and public nuisances in certain urban areas do indicate “that the boundaries of the law are being explored” (Boekhoorn, Speller, and Kruijssen 2004, p. 212).

B. Immigrant as Suspects

Contrary to what is often thought, Dutch research in this field started to develop relatively early. The first reports date back to the 1970s and 1980s, focusing on Moluccan youngsters and Surinamese drug dealers, and part of the stream of publications since then has been commissioned by the national government (for an overview, see, e.g., Leuw [1997]). Early studies in the Dutch context showed that boys of Ambonese (Indonesian) origin were more often registered as crime suspects than Dutch boys (Buikhuisen and Timmerman 1971). Van Amersfoort and Biervliet (1977) reported similar findings for Surinam-

⁶ Evidence in this field is not conclusive, though (see Junger-Tas 1997).

ese boys. After a period of silence surrounding these issues, they have become widely discussed predominantly since the 1990s. A number of studies since then recognize a significant overrepresentation of Moroccan and Antillean youngsters in recorded crime (Junger and Zeilstra 1989; Junger 1990; Werdmölder 1991; Bovenkerk 1992; van Hulst and Bos 1993; Werdmölder and Meel 1993; Junger-Tas 1997; Leuw 1997; van Gemert 1998; van San 1998). More recently, attention has started to shift to "newer" groups such as Africans, eastern Europeans, and Cape Verdeans (Kromhout and van San 2003). At first sight, the general findings are in line with the conventional wisdom of the law-abiding first generation and the more crime-prone second generation. As in many countries, however, this does not apply to all groups of immigrants. An exception that has attracted attention is the relatively low level of arrests of Turkish youngsters, who grow up under circumstances that are to a large extent similar to those of Moroccan youngsters (Junger 1990). More generally, the available studies show differential patterns of arrest: certain groups have below-average offender rates, whereas other groups score much higher than "autochthonous" inhabitants.

In contrast to some years ago (see Junger-Tas 1997), more data are available by nationality and country of birth. On the basis of these data, the Ministry of Interior Affairs published an influential report on crime in relation to the integration of ethnic minorities in 1996, studying the nature, scope, and causes of crime in ethnic minority groups (Ministry of Interior Affairs 1997). The report focused on Turkish, Moroccan, Antillean, and Surinamese suspects. It confirmed popular beliefs that minorities, especially Moroccans, were disproportionately active in crime. This finding held when socioeconomic factors were controlled for. Among juveniles between twelve and seventeen years old, nearly all immigrant groups are recorded as suspects relatively more frequently than persons of Dutch origin, and a comparable picture was obtained for people aged eighteen to nineteen years. There are some notable exceptions: the first-generation Indonesians and western Europeans and first- and second-generation Asian immigrants. It is often assumed that the low criminal involvement of Asian migrants is related to a high level of social control within their communities and a strong emphasis on upward mobility through education.

Police data for 2002 show that 37.5 percent of all recorded suspects of a crime living in the Netherlands are of foreign origin (including

TABLE 8
Suspect Rates per Capita in the Netherlands, Year
2002, by Background, Generation, and Sex

	Total	Male	Female
Total	1.2	2.0	.4
Native Dutch	.9	1.6	.3
Immigrant	2.2	3.8	.7
First generation	2.3	3.9	.8
Western	1.3	2.1	.5
Non-Western	2.9	4.9	.9
Second generation	2.1	3.6	.6
Western	1.3	2.2	.5
Non-Western	4.0	7.1	.9

SOURCE.—Blom et al. (2005, p. 31).

NOTE.—Standardized by age and sex. Total of the population group is 100 percent.

those of the second generation). The proportion of these persons in the suspect population is therefore almost twice as high as the share of immigrants among the Dutch population. The highest suspect rates per capita are found among first- (4.9) and second-generation (7.1) male migrants from a non-Western background. Rates for so-called Western migrants are very close to those of the native Dutch. In all groups, rates for women are considerably lower than for men, with the highest found among non-Western migrants (Blom et al. 2005, p. 31); see table 8.

Within immigrant groups, the percentage of suspects (people identified by the police as suspects within the year 2002) among the first generation is somewhat higher than among the second generation. This does not hold for Moroccans and Turks, however, among whom the second generation is suspected of crimes more often than the first generation.

How can the high rates for some groups be explained? The relationship with integration is important but much more complex than is often assumed. Some groups are very well integrated, like Surinamese migrants, and still show relatively high crime rates. Other groups are not very well integrated, like many Chinese immigrants, but demonstrate no significant crime problem. It is clear that social position and cultural factors are often interrelated. Regardless of ethnicity, many poorly educated and unemployed youngsters are demoralized and turn away from conventional society (Leuw 1997). Within some groups,

however, this leads to crimes and in others to a much lesser extent. The literature focuses strongly on Moroccan boys and, besides structural problems of low education and high unemployment, emphasizes feelings of being caught between the modern Western culture and the more collectivist culture of their own ethnic group (Gijsberts 2004), particularly because the gap between parents and children in the pace of modernization appears to be wide (Distelbrink and Pels 2002). These feelings may feed criminal behavior. Furthermore, many Moroccan parents feel that the behavior of their children outside the private realm is not their business, leading to a lack of parental control especially on boys. Additionally, feelings of deprivation and disappointment about not succeeding in Dutch society also provide fertile ground for deviant behavior (van Gemert 1998). The stigmatization of the Moroccan population, in particular, already leads to the withdrawal of this group into their own community: a recent survey demonstrates that second-generation Moroccans have begun to identify more with their own group in recent years (Dagevos and Schellinghout 2003).

For the Caribbean boys from the Dutch Antilles the situation is somewhat different. Since the second half of the 1980s the Netherlands has faced the problem of first-generation Antillean youngsters with a very low level of education, insufficient command of Dutch, a high proportion of teenage mothers and one-parent families, unemployment, debts, and criminal behavior. The problems are found mainly in a few municipalities in which a large proportion of Antilleans in the Netherlands live. Their problems largely stem from a lack of perspective, but according to van San (1998), the problems are also culturally reproduced because many boys grow up in single-parent families with mothers who do not reject the criminal behavior of their sons. For both Moroccans and Antilleans, feelings of alienation appear to be worsened through stigmatization and discrimination.

Apart from police data and crime patterns, data are weak. In large longitudinal surveys, immigrants have so far been underrepresented or even left out, resulting in a lack of longitudinal information on the development of criminal careers of immigrant boys. An exploratory study found that social perspectives (education, jobs) together with significant others (parents and partners) are important in preventing some immigrant youngsters who are engaged in crime from pursuing a further criminal careers (Beke et al. 1998), but these broad conclusions cannot explain differences between groups.

TABLE 9
Suspects of Crime in the Population and Asylum Migrants in the
Netherlands by Age, Sex, and Ethnic Origin (%)

	12–17 Years		18–24 Years		25–44 Years		45– Years		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
A. Population (2002)									
Total	2.8	.6	5.0	.7	2.5	.5	.9	.2	1.2
Native	2.0	.5	3.8	.5	1.9	.4	.8	.2	.9
Nonnative	5.7	1.3	8.6	1.4	4.6	.9	1.5	.3	2.5
Netherlands Antilles and Aruba	10.1	3.1	13.0	3.7	11.9	3.2	5.3	1.2	6.6
Morocco	11.0	2.0	17.9	2.1	7.0	.9	1.4	.2	5.0
Surinam	6.7	2.0	11.1	2.1	7.5	1.4	3.8	.7	4.0
Yugoslavia (former)	5.4	1.9	8.3	1.7	4.7	1.2	2.2	.7	2.9
Soviet Union (former)	4.0	1.2	10.6	2.6	6.4	1.6	2.7	.9	3.2
Turkey	5.0	.7	8.9	.7	5.4	.5	1.6	.2	2.9
Iraq	5.5	.5	7.9	1.2	3.6	1.0	1.9	.3	2.9
Iran	5.3	1.0	9.3	1.6	4.8	1.1	2.8	1.1	3.5
Afghanistan	2.6	.3	5.5	.5	2.9	.6	1.3	.3	2.1
Sri Lanka	2.2	.5	5.6	.4	3.7	.5	1.7	.6	2.2
China	1.5	.6	1.7	.9	1.8	.7	1.1	.3	1.1
Algeria	10.6	3.8	15.1	2.3	5.7	1.2	4.1	.3	5.1
Somalia	8.4	2.9	11.3	1.8	6.2	1.5	2.4	.2	4.8
Angola	5.5	2.1	9.8	3.1	8.0	2.5	7.7	1.1	5.7
Sierra Leone	6.7	3.2	6.6	2.8	5.4	1.9			5.6
Nigeria	6.1	1.8	8.5	3.3	5.8	2.3	2.3	1.2	4.4
Ethiopia	9.2	1.2	12.9	1.4	4.6	.7	2.1	.6	3.7
B. Asylum Migrants (2004)									
Total	5.8	1.2	8.7	2.0	5.0	1.4	2.2	.7	4.0
Yugoslavia (former)	5.3	.8	4.7	1.7	4.6	.8	1.2	.2	2.5
Soviet Union (former)	7.3	1.3	15.3	3.0	9.5	3.1	4.4	2.3	5.9
Turkey	3.8	2.3	5.8	2.5	3.7	1.5	4.2	.0	3.4
Iraq	4.9	.7	10.4	.7	4.4	.8	1.4	.3	3.4
Iran	4.2	1.2	12.9	1.5	5.7	1.4	2.8	1.1	4.2
Afghanistan	3.4	.6	6.7	.9	3.9	.7	2.1	.2	2.7
Sri Lanka	2.0	.0	4.1	.0	3.1	.4	3.3	.0	2.1
China	7.2	1.6	3.3	1.2	2.2	1.2	5.6	.0	2.5
Algeria	25.0	10.0	18.1	.0	9.1	.0	.0	.0	9.0
Somalia	5.7	1.8	6.2	1.3	4.5	.9	1.2	.0	3.0
Angola	9.9	2.6	10.2	2.9	7.1	2.0	12.0	6.9	7.1
Sierra Leone	11.8	5.0	9.3	2.8	6.7	1.8	.0	.0	7.1
Nigeria	17.6	4.5	15.8	3.4	6.2	1.1	9.5	.0	6.8
Ethiopia	6.5	1.5	4.3	1.3	2.8	1.3	6.5	.0	2.5

SOURCE.—Population: Blom et al. (2005); asylum migrants: de Boom, Engbersen, and Leerkes (2006).

Although problems with youngsters with Moroccan and Antillean backgrounds attract most of the attention, the 2002 police data also show that less well-known groups of immigrants display much higher crime rates than natives (table 9). They come from countries such as Algeria, Somalia, Angola, Sierra Leone, Nigeria, Ethiopia, former Yugoslavia, the former Soviet Union, Iraq, and Iran (see also Blom et al.

2005). These data demonstrate that the fragmentation of migration is also leading to a fragmentation of crime patterns (see also Kromhout and van San 2003). These newer groups have received very little scholarly attention so far.

Many of the newer groups are made up of people with a typical *asylum background* (immigrants from Angola, Sierra Leone, and the former Soviet Union) and in other groups include many *illegal immigrants* (Cape Verdeans and Algerians). In other words: these groups have different legal and social statuses and fall under our second line of research (see Sec. III).

C. Victimization and Fear of Crime

The criminologist de Haan concluded in 1997 that victimization of immigrants and fear of crime were blind spots in the Dutch literature (de Haan 1997), and to a certain extent this still holds true. Given the substantial number of studies on minority offending, the scarcity of academic research on victimization and fear of crime among immigrants and ethnic minorities in the Netherlands is remarkable. In the early 1990s, researchers of the Ministry of Justice (1993) pioneered the topic and reported elevated victimization rates for minorities in urban areas. As their findings were severely criticized for ignoring “neighborhood effects,” the claims were withdrawn in 1994 (see Lempens, Öntas, and Bovenkerk 1997, p. 359). Later studies tend to find lower levels of victimization among non-Western immigrants than among native Dutch, but they often question the validity of their claims. In 1997, Lempens, Öntas, and Bovenkerk reported that non-Western immigrants were underrepresented among the clients of organizations that support crime victims, which they attributed to selection effects rather than actual differences in ethnic victimization rates. A complication is that large surveys often compare immigrants concentrated in cities with autochthonous Dutch who live more widely dispersed over the country. Recent information on immigrants and natives in urban settings suggests that non-Western immigrants are not more likely than autochthonous Dutch to become victims of crime. For most groups the level of victimization is somewhat lower (Wittebrood 2006). Local surveys of youngsters in Rotterdam confirm these findings (Gemeente Rotterdam 2004).

In an overview of the available studies, higher victimization rates sometimes found may occur because non-Western immigrants live spa-

tially segregated in the Netherlands with high concentrations in disadvantaged urban areas (van der Wouden and Bruijne 2001). For similar reasons it is probable that ethnicity correlates with fear of crime. First, we know that anxiety strongly declines with increased socioeconomic position of neighborhoods in general and individual households in particular and also increases with the degree of urbanization (Wittebrood 2001). Yet, outcomes of a local survey held in Rotterdam⁷ show the opposite. About 36 percent of respondents from Surinamese, Antillean, Turkish, Moroccan, and Cape Verdean backgrounds report that they sometimes feel unsafe, against 45 percent of the native Dutch inhabitants. Moroccans score very low, with 23 percent, and Turkish respondents score very close to the native population (Gemeente Rotterdam 2004). Again, it seems more reliable to compare outcomes within cities than on a national level, and when this is done, victimization rates are comparatively low. However, it is true that we know very little about group differences in responding to survey questions on feelings of safety or fear of crime (Junger-Tas et al. 2003, p. 85).

D. Detention and Imprisonment

Apart from crime rates and shares of suspects, detention figures can also be taken as an indicator of a crime problem among immigrants, although selectivity causes a more serious bias than at the stage of arrest (Rovers 1999). Nonetheless, a high number of foreign-born people in prisons and detention centers was observable in the 1980s, and the overrepresentation has become much more acute. Whereas Dutch penal policy has for long been characterized as relatively lenient with low incarceration rates, the rate of imprisonment is rapidly rising. In ten years' time the number of prisoners has almost doubled (Centraal Bureau voor de Statistiek [CBS] [<http://www.cbs.nl>]). On September 30, 2004, 16,455 people were imprisoned (approximately 0.1 percent of the population). For 1994 this figure was only 8,740. The share of first- and second-generation immigrants in prison is also on the rise (see Wacquant 2005a, 2005b). Official data on imprisonment, however, distinguish only foreign-born or, in other words, first-generation immigrants. Between 1994 and 2004, the percentage of prisoners born in the Netherlands fell from 50 to 45 percent (among whom are second-generation immigrants). While less than 10 percent of the Dutch pop-

⁷ The report was based on a large ($N = 12,000$) representative sample of the Rotterdam population (Gemeente Rotterdam 2004).

ulation is foreign-born, more than half of the prison population is foreign-born (table 9). According to 2005 figures by the CBS, relatively large groups come from Surinam, the Dutch Antilles, Morocco, Turkey, Algeria, and the former Republic of Yugoslavia. Rates per capita are especially high for Algerians, Antilleans, and Surinamese (see table 10).

Most prisoners have been sentenced for violence and theft, and immigrants are no exceptions in this regard. However, a disproportionate share of foreign-born prisoners have been sentenced on the basis of drug laws (predominantly production, trafficking, and sale). For example, in 2004 more than one-third of the sentences of Surinamese (35 percent) and Antilleans (38 percent) related to drug offenses, compared with 15 percent for native inmates. The rise of the share of foreign-born prisoners since 1994 is partly due to enhanced enforcement of antidrug laws; between 1994 and 2004 the number of prisoners sentenced under drug laws rose by 240 percent from 1,355 in 1994 to 3,255 in 2004 (2005 figures from the CBS).

The sociologist Koopmans (2003b) has attempted to compare the available figures on the prison population internationally and concludes that the overrepresentation of foreign-born inmates is much higher in the Netherlands than in countries such as Great Britain, Germany, or France. In Germany, 27 percent of the prison population in 1997 was of non-German descent, whereas 53 percent of inmates in the Netherlands in 1998 were foreign-born⁸ (Koopmans 2003a). According to Koopmans, these—and other unintended outcomes of a “soft” approach such as high unemployment and a high rate of school dropouts—can be attributed to the failure of Dutch integration policies. Koopmans, however, does not differentiate between reasons for detention. It is likely that the high involvement of certain migrant groups in drug-related offenses, for instance, has more to do with the position of the Netherlands as a transit country for drugs than with “soft” integration policies.

Part of the rise of the foreign-born prison population is also caused by the exclusionary Dutch alien policy that targets unwanted (illegal) immigrants, who are increasingly being detained⁹ (van Kalmthout

⁸ Here, the common definition of “allochthonous” is not used. Therefore, second-generation migrants are invisible in detention statistics.

⁹ Illegal residence is not a criminal offense according to Dutch law. Detention is an administrative measure for foreigners awaiting expulsion.

TABLE 10
Prison Population in the Netherlands

	Prison Population			Population			Prison Population as a Percentage of the Population		
	1995	2000	2004	1995	2000	2004	1995	2000	2004
Total	10,330	11,760	16,455	15,493,889	15,863,950	16,305,526	.07	.07	.10
Netherlands	5,115	5,310	7,330	14,086,803	14,307,613	14,569,399	.04	.04	.05
Foreign-born	5,215	6,450	9,125	1,407,086	1,556,337	1,736,127	.37	.41	.53
Europe	1,305	1,510	2,095	552,427	589,479	650,689	.24	.26	.32
Turkey	520	565	640	167,498	178,027	195,937	.31	.32	.33
Yugoslavia (former)	155	145	255	43,779	50,535	54,493	.35	.29	.47
America	2,010	2,260	3,320	311,012	358,381	400,394	.65	.63	.83
Surinam	1,075	985	1,415	180,961	184,979	190,104	.59	.53	.74
Netherlands Antilles	660	930	1,415	62,498	76,276	89,657	1.06	1.22	1.58
Africa	1,390	1,750	2,330	229,057	263,469	304,869	.61	.66	.76
Morocco	840	860	1,050	140,728	152,693	168,528	.60	.56	.62
Algeria	275	340	360	2,861	3,707	4,013	9.61	9.17	8.97
Asia	445	770	970	302,422	332,113	366,043	.15	.23	.26
Oceania/unknown	60	160	410	12,168	12,895	14,132			

SOURCE.—Statistics Netherlands, processed by authors.

2005). Illegal immigrants are by definition the products of legislation that aims at controlling migration (Engbersen and van der Leun 2001). In recent years, controls have been intensified, and in particular, detention figures have risen quickly, as we discuss in the next section.

The increase in Dutch prison capacity and the strong increase in the number of prisoners in custody for drug crimes and breaking of immigration laws indicate that the policies of tolerance are weakening. A similar tendency has been discussed with regard to integration politics. As a result of these changes in the political climate, Dutch immigration and immigrant integration policies have become more restrictive and exclusionary. This paradigm shift in migration and integration policies is accompanied by an increased xenophobic discourse by national and local politicians and the media (van Meeteren 2005). Another effect is the fragmentation of immigrant statuses. In Section III we shift attention to newer groups of immigrants with less stable statuses.

III. Asylum Seekers, Illegal Immigrants, and Crime

The changes in international migration that we discussed in Section I are being mirrored in research on new groups of immigrants and crime. In addition to publications on former guest workers and postcolonial immigrants and their offspring, attention is increasingly given to research on immigrants with a weak residency status (asylum seekers) or without status (illegal immigrants). The substantial inflow of asylum seekers from all parts of the world since the 1980s and the growing concerns about irregular or illegal migration in particular during the 1990s have stimulated three new subfields of study: First, in the study of the possible relations between asylum migration and crime, attention is primarily paid to those groups of asylum seekers that remain in the asylum procedure for a long time. Second, the study of the social construction of illegality and the interrelatedness of illegality and crime is receiving attention. Third, an increasing amount of attention is being paid to the social organization of illegal immigration, the smuggling and trafficking of human beings (see Kleemans's contribution in this volume). Analogous to what happened in the 1990s (Bovenkerk and Yesilgoz 2004, p. 85), Dutch researchers seem quick to study these issues empirically in comparison to their counterparts in surrounding countries.

These new areas of attention are the result of changing migration

patterns and changes in asylum and illegal immigrant policies. Substantial changes have taken place in both policy areas. A crucial problem of the pre-2000 Dutch asylum policy was the lengthiness of the procedure. It often took years before a final decision was made, especially if asylum seekers appealed against negative decisions of the immigration authorities or continued the procedure in an effort to obtain better status. The 2000 Aliens Act aimed to shorten the asylum procedures in the following three ways. First, in principle the immigration authorities issue a decision on an asylum request within six months. This is not a strict requirement, but one that an effort is made to meet. An important measure to simplify and accelerate the asylum procedure was to set up so-called application centers, where a first assessment of an asylum request is to be made within forty-eight "process hours" (which takes a maximum of about five days). Asylum seekers rejected at the application center have to leave the Netherlands immediately. Furthermore, criteria were formulated on which countries could be considered safe. A country is considered safe if it has signed the relevant human rights agreements and abides by them. Asylum seekers from countries considered safe according to the formal criteria are not immediately rejected. There is always an assessment of each individual case. A precondition is that asylum seekers can make a plausible case that their personal safety is at risk in their home country.

Second, the Aliens Act 2000 eliminated the option of an administrative review of a decision by the immigration authorities. Asylum seekers have the opportunity to lodge an appeal to a court, followed by an appeal to the Council of State, the highest Dutch administrative appeal board, which is required to make a decision within six months. In principle, the asylum seeker can remain in the Netherlands pending an appeal decision, though not in the case of a decision on a further appeal. If the asylum appeal is rejected, the alien no longer has a right to make use of a reception center or of the other facilities and has to leave the Netherlands. No separate appeal is possible against the termination of the reception facilities, since this is a part of the negative decision on the asylum application itself.

The third and final important change in the 2000 Aliens Act pertains to different asylum statuses. Prior to the act, the Netherlands had various asylum statuses with different rights and privileges depending on the grounds for asylum. As of April 1, 2001, every asylum seeker whose asylum request is approved receives the same temporary residence per-

mit, regardless of the grounds for asylum. Each asylum seeker who is admitted first receives a temporary residence permit for a maximum of three years, which can later be converted into a permanent residence permit (in 2004 this was changed to five years). Uniform rights and facilities are attached to this single status. All asylum migrants who have been admitted to the Netherlands (status holders) have the same rights with regard to employment, social security, family reunification, study and study grants, refugee passports, and so forth. During the asylum procedure, asylum seekers have a right to be housed at a reception center or elsewhere. However, the basic principle is that asylum seekers remain outside society. Asylum seekers have only a limited right to engage in paid employment and no access to the Dutch social security system. Instead, there are pocket money arrangements at the application centers. The idea is that asylum seekers have to be kept outside Dutch society as long as their asylum request has not been approved. Integration into Dutch society would only make it harder for them to leave again.

A final “spearhead” of the new asylum and immigration policy is the return policy, which is based on the premise that asylum seekers who have finalized their legal proceedings are responsible for their own return to their country of origin. The idea is that the asylum seekers managed to get to the Netherlands on their own initiative and must therefore return on their own initiative as well. Asylum seekers who have finalized their legal proceedings become illegal and must leave the Netherlands. The starting point is that it is prohibited to stay illegally in the Netherlands. After every negative decision in the procedure, asylum seekers are reminded of their responsibility and encouraged to make preparations for their return. It cannot be established how many asylum seekers actually leave the country or remain without a valid residence permit (that is to say, are “illegal”).¹⁰

The following changes have recently been made in illegal immigrant policy. First, the Dutch state tries to block access to the formal labor market through high employer sanctions and by laying a protective ring of documentary requirements around the formal labor market, blocking access to stable tax-paid jobs. Since 1991, it is impossible for illegal aliens in the Netherlands to register in the population register

¹⁰ The only available data refer to voluntary return with help from the International Organization for Migration. In 2004 this organization supported 3,714 individuals with their return, which was an increase of 28 percent as compared to 2003.

and thus obtain a social-fiscal number, the “entry ticket” to formal work. Dutch document requirements make it very difficult for illegal aliens to get a job in the legal, regular economy (van der Leun and Kloosterman 2006). Second, the Dutch state tries to exclude irregular immigrants from public services (welfare, social security, health care, education, and public housing). In 1998, the Benefit Entitlement (Residence Status) Act came into force (van der Leun 2003). This act aims at preventing the continuation of unlawful residence and at preventing people without valid documents from building up a quasi-legal position (Minderhoud 2004). This act was to ensure that only immigrants with residence permits could obtain social security and other social rights. This act is also known as the “Linking Act” because immigration service registration files, census bureau data, fiscal identification agency data, and social security and social assistance data can all be cross-checked to verify the validity of immigrants’ residence and work status.

Third, the Dutch state is intensifying instruments of detention and expulsion. Detention and deportation are regarded as the final stages of an effective illegal aliens policy. The legal basis of alien detention differs in the European countries. In Belgium, France, Germany, and to some extent England, illegal residence is punishable. The penalty usually consists of imprisonment or a fine. In the Netherlands, illegal residence as such is not punishable (ACVZ 2002). The most important reason for nonpenalization is that this can prolong illegal residence (Minderhoud 2004). Irregular immigrants can be detained and expelled on the basis of the Dutch Aliens Act. Most of the incarcerated immigrants have not committed any crimes. They break the rules by being in a country without the necessary documents; in a legal sense, detention is an administrative matter, not a penal measure. The Netherlands has seven special deportation centers for apprehended illegal immigrants and failed asylum seekers. These deportation centers focus on efficiently organizing forced return programs and establishing the identities and nationalities of the apprehended “unidentifiable” immigrants. Under the Aliens Act 2000, it has become easier to arrest and detain illegal immigrants. On September 30, 2004, the number of immigrants held in custody because of immigration laws (1,655) had almost *quadrupled* since 1994 (425). This increase was also partly enabled by the construction of special deportation centers at Schiphol Airport and Rotterdam Airport. Approximately half of the immigrants are in custody for less than seven days (ACVZ 2002, p. 23). These are im-

migrants who are easy to expel. On average, however, not only are illegal immigrants more often detained than in previous years, but the average length of detention has also risen significantly. A substantial share of the detained illegal immigrants have not committed any criminal offense; for those who have, the offenses are mainly minor (van Kalmthout 2005). Between 2000 and 2001, of the almost 20,000 custodies that ended, well over 60 percent ended in expulsion. This means that a large number of illegal immigrants returned into Dutch society because there was no prospect of deportation (ACVZ 2002, p. 23). Engbersen, Staring, and van der Leun (2002) and van Kalmthout (2005) find that less than half of the apprehended and detained illegal immigrants are effectively expelled, and van Kalmthout finds that, in contradiction to what the political rhetoric suggests, the share of effective expulsions has been decreasing over the years. Illegal immigrants are therefore increasingly detained, but their detention is not *per se* followed by an expulsion. As a consequence, many irregular immigrants are sent back to the streets.

The asylum and immigration policy developments outlined above have had various consequences. The old asylum procedure created a very extensive group of asylum seekers who had to wait for years for the final decision. This group had a very weak legal position and a poor income position. The new asylum procedure primarily creates large numbers of rejected asylum seekers (see table 5). However, the Netherlands does not expel most individuals, but merely orders them to leave the country promptly, and there is no way to estimate how many former asylum seekers remain illegally. The policy toward irregular immigration has the effect that it increasingly forces irregular immigrants underground because legal avenues toward formal work or public assistance are blocked.

The changes in Dutch immigration control policies demonstrate that nation-states are key institutions in the structuring of class and social order. States have a legitimate monopoly over the control of movement and the distribution of citizenship rights and are therefore a decisive factor in the allocation of life chances to social groups and classes (Torpéy 1998; Engbersen 2003b). States are also crucial institutions in defining what are legitimate and illegitimate *actions* and what are legitimate or illegitimate *beings* (Bauman 2004). Criminologists mainly discuss the role of the state in the literature on the functioning of the criminal justice system and the rise of the penal state (see Tonry 1995;

Wacquant 2001) and to a limited extent when studying state crimes and human rights violations (Cohen [1993] 2003). In criminology, little attention has been paid to immigration control policies and the social consequences they have on crime rates among specific groups of asylum seekers and undocumented or irregular immigrants (see also Wacquant 2005a, 2005b). This has changed over the past ten years, as far as the Netherlands is concerned.

In order to explain the criminal practices of asylum seekers and irregular immigrants, researchers in this new field use theories from several disciplines, such as migration studies, urban studies, anthropology, criminology, and sociology. Hirschi's (1969) social control theory, which was much used in Dutch migrant studies in the 1980s (see Sec. II), is less suitable for research on such new immigrant groups. In terms of methodology, the research also deviates from that on legally admitted immigrants groups, since it is mainly based on analyses of aliens police registrations and ethnographic research among specific populations. For obvious reasons, large-scale surveys are not undertaken because a sample base is lacking. In this section we elaborate on asylum and crime, irregular migration and crime, and some fundamental policy and research issues.

A. Asylum and Crime

In early 2001, Jacques Wallage, the mayor of Groningen (a town in the north of the Netherlands), caused considerable commotion by declaring that the crime rate among asylum seekers in the Groningen region was five times as high as that among the regular Groningen population. The same had already been stated in various nonpublic police reports. These police studies also suggested the presence of organized crime, for example, the trade in stolen goods, in which criminal organizations make strategic use of asylum seekers. These would be recruited in asylum seekers' centers. Furthermore, specific criminal activities would be organized from these centers. A study by de Haan and Althoff (2002) in the Groningen region produced a different impression. The key finding, based on analyses of police registrations, file analyses, and interviews with key informants, was that asylum seekers living in asylum seekers' centers committed thefts (from shops) and minor aggressive offenses in particular. Property offenses were committed outside the asylum seekers' center, and the police overestimated their number. The aggressive offenses occurred mainly within the walls

of the asylum seekers' center, and the police underestimated their number. De Haan and Althoff explained these offense patterns on the basis of the opportunity structure for asylum seekers (ban on labor participation, little money, and chronic boredom) and the problematic living conditions at such centers (see Goffman 1968), where people of many different nationalities occupy a limited space for a long period, which increases the risk of friction. Another finding was that there was no concrete evidence of "supra-individual crime" organized by asylum seekers from residence centers. De Haan and Althoff concentrated on those asylum seekers who stayed in the asylum seekers center, and not on those who went to live in other types of housing, which may have caused a certain bias toward law-abiding persons.

The results of the Groningen study partially correspond with those of the studies by Snel et al. (2000) and van San, Snel, and Boers (2002) among young Yugoslavs with an asylum background. These studies, based on an analysis of police statistics and interviews with young Yugoslavs, were meant to establish whether there was an organized Yugoslav burglary ring, as suggested in some police studies. This proved not to be the case. Yet unlike de Haan and Althoff's (2002) study, these studies showed a strong involvement in crime among this group of young Yugoslavs. In 2000, the police suspected more than one in ten youngsters in the eighteen to twenty-four age group from former Yugoslavia of having been involved in some criminal offense, for the most part robberies and burglaries. Striking also is the large involvement of specific groups in serious violent offenses such as armed robbery, threatening behavior, bodily harm, kidnapping, and murder. The similar patterns emerged from qualitative research among forty detained Yugoslavs. One-quarter of the young respondents (under age thirty) were suspected of or had been convicted of attempted or actual homicide or manslaughter. However, these offenses are not representative of all the suspects from former Yugoslavia. Interviewing respondents in prison almost automatically entails an overrepresentation of serious offenders.

Snel et al. (2000) and van San, Snel, and Boers (2002) explain that this strong involvement in crime has to do with the young Yugoslavs' poor integration into Dutch society—they constitute a first generation—in combination with other factors. This poor integration finds expression in high unemployment figures, but also in the illegal position of some respondents (they were refused as asylum seekers). The

other factors are the exclusionary effect of the asylum procedure, violent war experiences, and the visibility and presence of crime in the Yugoslav community. Finally, the studies show that some young Yugoslavs make strategic use of their reputation for violence to take over a specific part of the criminal market. Van San and Snel (2004) show that the respondents use and manipulate their own "culture" in a creative way to achieve certain aims. According to Bovenkerk, Siegel, and Zaitch (2003, p. 36), ethnicity—like culture—is not a behavioral determinant in itself. Instead, people construct their own culture and strategically use the prevailing stereotypes around them for different audiences. They would be wise to keep a low profile when faced with law enforcement agencies. In criminal circles, however, they can make the most of their violent reputation. There is a very shadowy blend of images and reality here, and it is not inconceivable that the images will become reality at some point simply because all the parties treat them as such (see van de Port 2001; Bovenkerk, Siegel, and Zaitch 2003).

A large-scale research program under way in the Netherlands focuses on the relations between asylum migration and crime (de Boom, Engbersen, and Leerkes 2006). Within the framework of this program, a national database of all asylum seekers who applied for asylum in the Netherlands in the period 1989–2004 ($N = 400,000$) and a national database of suspects from the twenty-five regional police files were linked. The latter database contains all persons who were suspected of having committed an offense in the period 1996–2004 ($N = 1,080,000$). One of the key questions is whether asylum seekers are more involved in crime than the general population. To be able to answer this question, a distinction is made between asylum seekers who are in the Netherlands legitimately (asylum seekers whose request has been granted or who are still awaiting the [final] decision) and the group of asylum seekers whose request has been refused. Of the asylum migrants whose asylum request was granted, 3.4 percent were suspected of being involved in crime; of the asylum seekers who are still waiting for the (final) decision of their request, an average of 5.4 percent were suspected of criminal involvement in 2004. These results indicate that asylum seekers are more involved in crime than the regular Dutch population (the involvement of the total population in the Netherlands in 2004 was about 1.2 percent). However, the differences are smaller than many populist Dutch politicians had anticipated.

When making such a comparison, controlling for age and sex is

essential, because there are more young males in the asylum population than in the regular population and young males are usually the most involved in criminal behavior. When one controls for both variables, the outcome is that asylum migrants are more involved in crime than the total Dutch population, but less than some of the regular migrant groups such as Antilleans and Moroccans (see table 9). Again, differences between groups of asylum seekers are substantial. Asylum migrants from the former Soviet Union (5.9 percent), Algeria (9 percent), and Sierra Leone (7.1 percent) are suspected of crimes relatively more often than asylum migrants from countries such as Sri Lanka (2.1 percent), China (2.5 percent), and Ethiopia (2.5 percent). We may therefore conclude that the involvement in crime of asylum seekers who are legally in the Netherlands in 2004 was between 3.4 percent (asylum seekers with a residence permit) and 5.4 percent (asylum seekers still awaiting a decision).

The majority of requests for asylum are turned down, and the percentage is increasing every year (see table 5), which raises the question as to what extent rejected asylum seekers come into contact with crime. The answer is difficult because it is not clear what proportion of asylum seekers actually leave the Netherlands and what proportion stay illegally. If one assumes that almost no rejected asylum seekers have left the country, only a small percentage (1.8 percent) are involved in crime. The Ministry of Justice, however, assumes that about 90 percent of the rejected asylum seekers leave the country (ACVZ 2005). Following this logic, 18 percent would be involved in criminal activities (de Boom, Engbersen, and Leerkes 2006).

On the basis of the capture-recapture method (van der Heijden and Cruijff 2004), a more reliable estimate of the number of rejected asylum seekers residing in the Netherlands can be made. Using apprehension data, van der Heijden and Cruijff estimated that, in 2002, approximately 210,000 illegal immigrants were residing in the Netherlands. About 11 percent (24,000 persons) of those illegal immigrants are rejected asylum seekers. From this number it follows that approximately 20 percent of the rejected asylum seekers stay in the country and about 10 percent of rejected asylum seekers are involved in criminal activities.

Explaining the differences in crime patterns among different groups requires substantive in-depth research that systematically takes into account their citizenship status; their migration history and experiences;

their physical, human, and social capital; and the responses from the wider society (including educational institutions and employers). The concept of the “differential opportunity structure” as developed in several empirical studies on different groups of illegal immigrants may be a useful conceptual tool for understanding these group differences. These studies argue that differential access to legitimate and illegitimate opportunities explains group-specific involvement in crime.

B. Irregular Migration and Crime

With the increase in irregular migration, a new dimension has been added to the immigrant crime debate, due to the characteristics of the social position of illegal immigrants (van der Leun 2003). Almost all research on migration and crime—from the early Chicago School to the present—is focused on *legitimate* groups that engage in *illegitimate* activities but are allowed to stay in the territory of a nation-state. This is also the case for asylum seekers. The groups under study may differ in spatial concentration, social organization, human capital, social bonds, self-control, illiteracy, group discrimination or stigmatization, and levels of violence and crime, but they have at least one thing in common: none of these groups has an illegal status. However, illegality with respect to illegal immigrants is not attached to a kind of illegitimate *activity*, but to a state of *being illegitimate* (see Schinkel 2005). Immigrants are classified by the state as illegal if they lack a valid legal residence permit. In some European countries, being illegal is defined as a crime and is punishable as such. This is not the case in the Netherlands. Illegal residence is a misdemeanor, and the main sanction is detention or expulsion. The steep increase in the number of illegal immigrants in the prison population shows the growing importance of detention as a strategy for immigration control. A substantial fraction have not committed crimes. This illustrates how the state influences the life chances of illegal immigrants in two ways: first, by classifying certain immigrants as illegal and, second, by combating illegal residence with exclusionary policies. This raises the question whether the social construction of illegality itself can generate specific types of subsistence crime: crimes committed in order to stay and to live in a country (Albrecht 2002). The exclusion of illegal immigrants from legitimate means of survival (work and public services) could push illegal immigrants toward income-generating criminal activities in order to reside in the Netherlands.

Various Dutch studies on irregular migration based on police data and ethnographic research reveal three major empirical findings. First, the police data show a strong increase in crime as a reason for apprehension (Engbersen, van der Leun, and Leerkes 2004; Leerkes et al. 2004). Over a period of almost seven years (1997–2003), the apprehension data on illegal immigrants show a marked rise in the categories of minor offenses and serious offenses. In 1997, nearly 30 percent of the illegal immigrants who were apprehended came into contact with the police for criminal offenses (and not for infractions of the aliens laws or labor laws or for misdemeanors). This number had risen to about 45 percent in 2003. This strong increase cannot be solely explained by a general trend in stricter law enforcement, in which, because of societal pressure, the police are generally more active in crime detection and in registering their findings. If this were true, this should also be visible in the regular police data for 1997–2003. But this is not the case (Engbersen, van der Leun, and Leerkes 2004). Another explanation is that the police are more active in tracking down illegal immigrants than before, which also increases the number of apprehended illegal immigrants arrested for criminal activities. This is not very likely because most criminal illegal immigrants are arrested by police officers working for basic police units, who do not know beforehand whether they are dealing with illegal immigrants or not. Yet, in cases in which the police are actively searching for people, this may be the case. That there has been a significant rise in the number of people arrested for the possession of false documents and people who have been declared “undesirable aliens” does point to selective and more active enforcement by the police. However, if the figures on these reasons for arrest are excluded from the overall figures, the rise in criminal offenses as a reason for apprehension is still very strong. This strong rise indicates that the restrictive aliens policy is affecting the illegal immigrants’ residence strategies. In the recent past (before 1991), illegal immigrants had relatively easy access to the formal labor market and some public services (Engbersen 1999; Minderhoud 2004). This has now become much more difficult (van der Leun and Kloosterman 2006). As a result, illegal immigrants who stay in the Netherlands develop forms of subsistence crime, as becomes clear from the offenses they are arrested for. The increase in criminal offenses for which they were apprehended mainly includes theft and the use of false documents. These are crimes that are directly related to the precarious

position of illegal immigrants who are excluded from public services and the labor market. The aim of these offenses is to acquire money (theft) or to enter the labor market (false documents).

Second, some groups of illegal immigrants are more involved in crime than others. Newer groups of illegal immigrants (e.g., from Angola, Iran, Somalia, and to a lesser extent from former Yugoslavia and the former Soviet Union) resort more to crime than illegal immigrants from Turkey or Surinam. In accordance with previous findings, North Africans (Moroccans and Algerians) are also overrepresented in apprehension statistics (Engbersen, Staring, and van der Leun 2002). These differences can be partly explained by the results of several ethnographic studies in Amsterdam, Rotterdam, Utrecht, and The Hague, which show that illegal immigrants from countries of origin that are frequently mentioned in police statistics in relation to crime are rather vulnerable with respect to their social embeddedness (Burgers and Engbersen 1999; Engbersen et al. [1999] 2003; Leerkes et al. 2004). They often occupy uncertain and marginal positions in the formal and informal housing, labor, and marriage markets. Illegal immigrants from these countries cannot rely on well-rooted communities to provide jobs, housing, documents, and legal marriage partners. These groups therefore seem much more disposed to forms of subsistence crime than illegal immigrants from Turkey or Surinam, who can fall back on large, well-established, and close-knit communities. However, it must be noted that even among illegal immigrants from Turkey or Surinam, involvement in crime is on the rise.

Third, although illegal immigrants are generally involved in petty crime such as theft, there are also patterns of criminal specialization. Typically, the offense patterns of particular illegal immigrants reflect the offense patterns of their legal compatriots. Just like legal Turkish suspects (Bovenkerk 1998; Bovenkerk and Junger-Tas 2000), illegal Turkish immigrants are more often apprehended for violent offenses than suspects from other countries of origin. Just like legal suspects from South America (including Surinam), illegal immigrants from South America are apprehended for cocaine trafficking relatively often (ISEO 2002). Illegal immigrants from eastern European countries, former Yugoslavia in particular, are often apprehended for theft and burglary, whereas their involvement in drug trafficking appears to be limited (see Snel et al. 2000; van San, Snel, and Boers 2002). Illegal Moroccans have a disproportionate share in theft with violence and the

trafficking of marijuana (van Gemert 1998; ISEO 2002). The share of document fraud suspects is much higher among illegal immigrants from several African and Asian countries than among suspects originating from non-African countries (van San and Leerkes 2001). These findings indicate considerable similarities among legal and illegal immigrants from a particular origin with regard to the type of crimes committed. Leerkes (2005) assumes that the criminal involvement of legal immigrants influences the delinquent behavior of illegal immigrants. The illegal immigrants' likelihood of a criminal career in the Netherlands partially depends on the prevalence of crime among legal immigrants and their crime specializations (see also Zaitch 2002). This implies that the risk of illegal immigrants becoming involved in crime in the Netherlands not only is influenced by changing state policies with regard to illegal residence but also depends on the prevalence of crime among established immigrants in the Netherlands and the types of criminal activities they engage in. However, the interrelation between legal and illegal immigrants cannot explain the sharp increase in crime among illegal immigrants, since the figures on the criminal involvement of legal suspects have not increased according to the available data. Rather, it partially explains the types of crimes that groups of illegal immigrants will resort to in order to stay in the country.

To explain these three empirical findings, Dutch researchers make use of social theories on immigration control policies and citizenship (Andreas and Snyder 2000; Guiraudon and Joppke 2001; Cornelius et al. 2004); structural constraints and opportunity structures (Cloward and Ohlin 1960; Merton 1996); social capital (Bourdieu 1983; Portes 1998); and informal economies in global cities (Hughes [1951] 1994; Sassen 1991). These theoretical strands have been incorporated into Engbersen and van der Leun's (1995, 1998, 2001) theoretical reformulation of the concept of the differential opportunity structure. They argue that the opportunity structure of undocumented immigrants can be divided along three institutional dimensions.

The first is the degree of access to the legitimate, formal institutions of a nation and welfare state, such as the labor market, education, housing, and health care. Before 1990, illegal immigrants had easy access to the labor market and some public services. After 1990, this became much more difficult, particularly after 1998. It is only with the aid of false or borrowed documents that illegal immigrants can now gain access to formal institutions.

The second dimension is the degree of access to informal, partly illegitimate, institutions, such as the informal economy, the informal housing sector, the informal marriage market, and the informal networks of family, friends, and relatives in the Netherlands. The size and significance of the informal networks in which the illegal immigrants are embedded are major indicators of the social capital that illegal immigrants are able to mobilize.

The third is differential access to illegitimate institutions, such as criminal economies and networks. Different groups of illegal immigrants seem to have access to different networks of crime, whereas others have no access at all. This in line with Cloward and Ohlin's (1960) observation that in order to explain the delinquent behavior of groups, one has to take into account not only their (non-) access to legitimate opportunities but also their (non-) access to illegitimate opportunities.

The conceptual framework of the differential opportunity structure offers an explanation for the rise in crime among illegal immigrants and for differences in the patterns of involvement in criminal behavior. Immigrants who have little or no access to formal and informal institutions and who cannot fall back on a community sufficiently well established to provide jobs, housing, and relevant documentation (passports, health insurance, and social security numbers) face stronger pressures to turn to illicit means. And immigrants who have access to specific criminal economies, such as the drug economy, are more likely to become active there.

This framework also offers an opportunity to analyze the effects of restrictive policy. Dutch policy is aimed at closing off the illegal immigrants' access to the labor market and public services (the first dimension). However, empirical studies show that ethnic communities in which illegal immigrants are embedded mediate the effects of these exclusionary state policies. Some communities are able to provide proper support (jobs, housing, money, documents, or a partner) to illegal immigrants; other communities are too small and fragmented to provide support to illegal compatriots (the second dimension). This clearly affects the risk that illegal immigrants become involved in crime. Furthermore, ethnic communities also seem to shape the access to specific criminal "institutions" or economies in which legal immigrants operate (the third dimension). This implies that the illegal immigrants' chances of a criminal career in the Netherlands do not vary

exclusively with the tightening of state policies on illegal residence, but also with the prevalence of crime among established immigrants in the Netherlands and with the types of crimes they tend to engage in.

C. Unintended Consequences and Political and Ethical Aspects

The study of the interrelation between illegality and crime reveals that restrictive migration and aliens policies generate unintended effects (Engbersen 2001; Kyle and Koslowski 2001; Bigo 2004). As a consequence of this policy, the number of illegal immigrants in Europe and the Netherlands has increased, simply because more unwanted immigrants are classified as illegal (Castles and Miller 1994). The restrictive policy also contributes to forms of subsistence crime among illegal immigrants. Finally, because of the intensification and modernization of border control (Fortress Europe), immigrants have become more dependent on professional smugglers to reach Europe (Ruggiero 1997). It is becoming increasingly difficult for unwanted immigrants simply to cross a border themselves. The professionalism of some illegal immigration networks thereby legitimizes new far-reaching measures. This creates a border control race in which national states call into being a professional illegal immigration industry (Miller 2001, p. 329). Thus the criminalization of migration leads to the creation of criminal organizations (see Kleemans, in this volume). So far, these research results have had no effect on the Dutch aliens policy, which is becoming even more restrictive.

A second point for discussion brought forward by the study of crime patterns among illegal immigrants and asylum seekers relates to the political and ethical aspects of research. The current debate has echoes of the debate held in the Netherlands in the late 1980s in reaction to the first studies on migration and crime. Scientific research on delinquency and the ethnic origins of offenders was for a long time regarded as a risky undertaking. Some argued that this kind of social research stigmatizes the migrant groups involved and puts them at risk, whereas others thought that the police statistics used in this kind of research were unreliable. These arguments are also heard in the current debate (Groenendijk and Böcker 1995; Böcker and Groenendijk 1996; Westerink 2005). It is also argued that social-scientific research may have serious repercussions for very vulnerable groups (illegal immigrants) and that linking files on aliens (asylum seekers and illegal immigrants) with police files is contrary to data protection legislation. Others argue

that solid and systematic social research liberates these controversial issues from the dilemma between taboo and dramatization (Burgers 1996). If new social issues such as irregular migration and delinquency are considered taboo for social research, little will be known about them. And it is precisely this unfamiliarity with new issues (as products of structural changes in international migration, urban labor markets, and state policies) that often results in these issues being dramatized once they feature in the public arena. Estimates in the media of the number of illegal immigrants are usually exaggerated, and the same goes for popular views on illegality, asylum, and crime. Social-scientific research may enfeeble incorrect mythologization and is also critical in laying bare the consequences of the “criminalization of migration” (Bauman 1998, 2004; Bigo 2004; Wacquant 2005b).

IV. Conclusion

Over the past twenty-five years, migration processes have drastically changed the face of Dutch society. This essay has presented the results of two lines of research that stem from different migration movements. First is the postcolonial migration and guest worker migration from the 1950s and 1960s. The subsequent family reunification migration led to the problem of crime among *second*-generation youngsters from Morocco and to a lesser extent Turkey and among first-generation Antilleans. Second is the asylum migration and irregular migration from the 1980s and 1990s, which generated problems of crime among *first*-generation asylum seekers and illegal immigrants.

What do we now know about the interactions between immigration and crime in relation to *regular* immigrants? Contrary to what is often maintained, the Netherlands has a tradition of research on the relations between migrants and crime. This research is seriously biased since it focuses much more on immigrants (first- and second-generation) as suspects of crime than as victims of crime. To summarize the literature on offending, first, recent research based on police data confirms an overrepresentation of migrants in crime. Police records reveal that, on average, male migrants are suspected of having been involved in crime two and one-half times as much as males in the native population, and the females three times as much as native females. The highest crime rates are found among male migrants who are classified as non-Western.

Second, the conventional wisdom of a law-abiding first generation and more problematic second generation is not confirmed in general. In the case of Turkish and more in particular Moroccan boys, “typical” second-generation problems do play a role, but other groups of second-generation migrants, such as Asians, show very low crime rates. Among Antilleans, the most problematic group consists of first-generation immigrants who come to the Netherlands with very low qualifications and a lack of prospects.

Third, the focus on crime patterns among the largest immigrant groups in Dutch society (Turks, Moroccans, Surinamese, and Antilleans), four groups that reflect the colonial past of the Netherlands and the period in the 1960s when guest laborers were recruited from the Mediterranean, no longer suffices. Some smaller migrant groups that came to the Netherlands in the past fifteen years (e.g., from the Dominican Republic, Somalia, and Ghana) show a strong involvement in crime as well.

Fourth, official data on imprisonment, concerning only foreign-born or first-generation immigrants, show that between 1994 and 2004 the percentage of prisoners born in the Netherlands decreased from 50 to 45 percent (including also second-generation immigrants). Where less than 10 percent of the Dutch population is foreign-born, more than half of the prison population is foreign-born. According to 2005 figures from the CBS, large groups come from Surinam, the Dutch Antilles, Morocco, Turkey, Algeria, and the former Republic of Yugoslavia. Rates per capita are especially high for Algerians, Antilleans, and Surinamese.

Finally, as to explanations, it is clear that a lack of integration can cause crime problems but falls short as the main explanation. Some well-integrated groups show high crime rates and other less well-integrated groups display no crime problem at all. It is clear, though, that social position and cultural factors are often interrelated and work to the detriment of many young non-Western males. Regardless of ethnicity, being poorly educated and being unemployed are strong risk factors for youngsters, who easily become demoralized and turn away from conventional society, in particular when parental control and prospects for the future are lacking.

What do we know about interactions between immigration and crime in relation to *irregular* immigrants? First, Dutch research has demonstrated the relation between migration statuses and crime. Im-

migrants who have a weak status (asylum seekers) or no status (irregular immigrants) are more involved in crime than social groups with a strong residence status. This finding is typical of a northern European welfare state that is not losing control over its border but, on the contrary, is able to exclude immigrants very effectively from its formal economy and public services (Torpey 2000; van der Leun 2003). Second, some irregular immigrants are more involved in crime than others. These differences can be explained by the immigrants' differential opportunity structures. A crucial factor is access to ethnic social networks (social capital). These networks have strategic weight for getting access to formal or informal institutions (for jobs, housing, partners, and documents) and specific forms of criminal specializations. However, and this is a third relevant finding, many new immigrants from countries that have no colonial or economic ties with the Netherlands are not able to rely on established ethnic communities and have to fend for themselves. These groups are more likely to develop criminal activities. A final finding is that Dutch society pays a price for the effective exclusion of irregular immigrants and the time-consuming asylum procedure. Because of specific contextual circumstances, asylum procedures take a long time, generating small-property and minor aggression offenses. And the exclusion of irregular migrants from labor and public services has caused them to go even deeper underground and into criminal behavior.

These Dutch findings demonstrate that immigration control policies have unforeseen outcomes and unintended side effects. In future, irregular migrants have to participate in various informal economies or develop criminal activities in order to be able to stay in the Netherlands. These findings exemplify that it is important to consider policy options that may have a decriminalizing effect. First, the expansion of (temporary or permanent) foreign worker programs might enable immigrants to work legally and help to counteract the development of informal economies. Naturally, this is offset by the risk of low-skilled labor migrants establishing themselves permanently in the Netherlands—as was the case on a large scale in the 1960s and 1970s—and becoming permanently dependent on the welfare state. A second option is selective regularization of illegal immigrants. Over the past few years sizable regularization programs have been carried out in Italy, Spain, Greece, and Portugal and to a rather limited extent in France, Belgium, and the United Kingdom (Levinson 2005). Regularization is

a radical measure for controlling illegality, but it is a difficult policy operation. There is the problem of developing criteria that will lead to new distinctions within the illegal population between those who do and those who do not meet the criteria (akin to the classical distinction between the deserving and undeserving poor). And there is also the problem that new groups of irregular migrants are attracted because regularization is taking place. Various international examples have revealed that regularization programs—usually presented as one-off solutions—are seldom what they claim to be (Cornelius et al. 2004; OECD 2004). Nevertheless, selective regularization can—in the short term—reduce public order problems and incorporate into Dutch society groups that are *de facto* already integrated. Other policy options include systems of earned regularization to legalize irregular migrants and realistic return programs that stimulate people to go back voluntarily, in a sustainable manner. The mission for smart immigration and public order policies seems to lie primarily in finding the right balance between various policy strategies. Central to this is designing a restrictive migration policy including an effective return policy. But alongside selective legalization, forms of labor migration could be incorporated into immigration control policies in order to prevent a sizable illegal underclass from developing, which could pose a threat to public order.

The two lines of research make clear that the contexts of reception (see Portes and Rumbaut 1990) of immigrants have changed dramatically over the past decades. The postcolonial immigrants and first generation of guest workers had no difficulties finding industrial jobs. For current asylum seekers and irregular immigrants, that has now become very difficult. Asylum seekers have only very limited access to the formal labor market, even when they have acquired refugee status, and illegal immigrants are in principle banned from the labor market. The same goes for the first generation of guest workers who became unemployed en masse in the 1980s and for groups of semi- and unskilled immigrants of the second generation. The security of a steady job is replaced by job insecurity. This job insecurity is reflected in the growth of unemployment, poorly paid part-time jobs, temporary employment contracts, and workfare-like programs.

Incorporation into the welfare state has also become more problematic. In the recent past, countries such as the Netherlands, Germany, and France included immigrants (especially guest workers) in the welfare state by giving them comprehensive social rights and limited po-

litical rights (Guiraudon 2002, p. 150). This incorporation process is now being questioned because many low-skilled immigrants (first- and second-generation) are unable to find and keep a job and rely instead on welfare state provisions (see Roodenburg, Euwals, and ter Rele 2003). Furthermore, there is a strict exclusion of unwanted immigrants by means of a restrictive migration policy. Nevertheless, groups of irregular immigrants succeed in passing the European borders. They manage to climb over the wall around the West (Andreas and Snyder 2000) but then come up against a second wall: the wall around the welfare state (Engbersen 2003b).

This essay has demonstrated that the changed national and international contexts play a limited role in current scientific explanations of crime patterns among first- and second-generation immigrants in the Netherlands. Dutch research is mainly aimed at delinquent juveniles of Moroccan, Antillean, and, recently, Yugoslav origins. Little research has been conducted on new aspects of crime resulting from the changing migration streams and integration patterns, the consequences of the changing perception of migrants, and the intended and unintended consequences of migration control and public order policies.

Five themes deserve to be placed on the future research agenda. Some of these are being developed; others still need to be explored.

4. Comparative Research on Integration Processes and Crime

Systematic and comparative research into the differences in crime patterns of migrant groups in relation to integration needs to be done. The Research and Documentation Center of the Ministry of Justice (WODC) and CBS have taken important steps toward creating a national monitoring instrument that can be used to trace the integration over time of first- and second-generation people of non-Dutch origin (irregular immigrants are of course not included). However, this instrument is based on a limited number of indicators (labor market position, social security and social assistance, and police records). There is limited or no information on crucial indicators such as educational background, social capital, and experiences of discrimination. Additional surveys and qualitative research are therefore essential as an addition to this monitoring instrument. Moreover, more energy should be put into including representative numbers of respondents with an immigrant background in longitudinal surveys, victimization surveys, and surveys on feelings of safety. Additional research will also be re-

quired with regard to irregular migrants who have not been registered in the regular population statistics in the Netherlands.

B. Transnational Crime

Processes of globalization bring with them forms of cross-border crime. For a research agenda on migration and crime, the increase in human trafficking and human smuggling is of interest. International and Dutch research projects show that both large-scale professional organizations and small-scale, familial organizations are involved in human trafficking and human smuggling. Both types of organizations are hard to combat, the first because of their professional nature and the second because of the legitimate use they make of their (transnational) social networks. The transnational social capital of ethnic communities makes it possible to trespass borders easily and remain in the shadow of ethnic communities. Dutch research on human smuggling shows that three dimensions are essential for understanding the social organization of human smuggling: the extent of coordination (division of labor and specialization and differentiation of tasks), the degree of domination (authority structures and internal control mechanisms), and the structure of (transnational) social networks in which human smuggling is embedded (Staring et al. 2005). However, this research was based on in-depth study of police investigation files, whereas multi-sided research is needed in order to understand the smuggling processes from sending to receiving countries.

C. Import Crime

There are indications that some migrant groups were already criminally active before they came to the Netherlands or that they came to the Netherlands because of perceived opportunities for criminal activity. This is known as import crime. Bovenkerk (2002, p. 235) differentiates between direct and indirect import of crime. Direct import involves migrants who built up a criminal career in their own country or elsewhere and continue this career in the Netherlands. It also involves migrants who came to the Netherlands specifically to commit specific crimes (e.g., drug trafficking, car trafficking, and theft). Indirect import of crime involves migrants who display behavior that is to a certain extent authorized within their own cultural context but falls under the criminal law in the Netherlands (e.g., avenging the family honor and possession of firearms). In view of the war situation in their

country, for instance, firearms had become part of the basic necessities of life for many migrants from former Yugoslavia. Furthermore, the expansion of the European Union to twenty-four member states enables migrants from central and eastern Europe to travel to the Netherlands and possibly also commuter crime. These phenomena of direct and indirect import crime have not yet been systematically researched.

D. State Classifications and Crime

In the Netherlands, there is a long-standing tradition of research into the relation between socioeconomic position or class and crime. This tradition needs to be supplemented with further research into the relation between citizenship status and crime, including the unintended consequences of immigration control policies. In more abstract terms, this involves the relation between social classifications and life chances (Dahrendorf 1979). In a globalized world, having the right documents is a crucial condition for social and geographical mobility. Those who do not have the right documents run the risk of being declared illegal, being pushed to the margins, and sometimes also becoming involved in certain forms of crime (Bauman 2004; Wacquant 2005a, 2005b).

E. Effects of Public Hostility

Over the past five years, the political and social climate in the Netherlands with regard to migrants has changed dramatically as a result of major international events (terrorist attacks in the United States, Spain, and the United Kingdom) and major domestic events (the assassinations of Pim Fortuyn and Theo van Gogh). These events created considerable tensions between immigrants and native Dutch, particularly in the major cities. Large groups of Dutch people assume that some immigrant groups are by definition criminal, even though most have never been in contact with the police (Bovenkerk 2003). No systematic research has yet been conducted into the consequences of the changing social climate in terms of the increased sense of insecurity among migrants (especially with an Islamic background) or its impact on discrimination practices of the police, the judiciary, and employers. Nor has systematic research been conducted into the consequences in terms of possible processes of political radicalization and for the migrants' identity development. Finally, it is important to conduct research into the effects of the current social climate with regard to migrants on the sense of insecurity among Dutch citizens. Will the Netherlands be-

come a more divided society? Or will the political parties and civil society succeed in spanning the gaps between the different groups in Dutch society?

Research on these five themes will infuse Dutch criminology with theories and empirical findings from other disciplines and international criminology. Not only will it provide new theoretical impulses to Dutch criminology, but it will also lead to more diverse methodologies. Describing and analyzing patterns of crime requires a broad and contemporary arsenal of research methods including ethnographic work and longitudinal studies. Research on these five themes will inevitably lead to the conclusion that the once-renowned Dutch toleration and multicultural society have lost their innocence. The Netherlands has changed from a reluctant country of immigration into a true country of immigration.

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